

REGULAR WEEKLY SESSION----ROANOKE CITY COUNCIL

June 20, 2005

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, June 20, 2005, at 2:00 p.m., the regular meeting hour, in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Vice-Mayor Beverly T. Fitzpatrick, Jr., presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 36762-070604 adopted by the Council on Tuesday, July 6, 2004.

PRESENT: Council Members Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., and Vice-Mayor Beverly T. Fitzpatrick, Jr.-----6.

ABSENT: Mayor C. Nelson Harris-----1.

The Vice-Mayor declared the existence of a quorum.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Alfred T. Dowe, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Vice-Mayor Fitzpatrick.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

ACTS OF ACKNOWLEDGEMENT-CITY SHERIFF-CITY COUNCIL: Ms. Lori Frantz, whose husband is a City employee and a member of the U. S. Reserves who served in active duty at Fort Eustis for 14 months and will be leaving at the end of the year for a tour of duty in Iraq, presented a "My Boss Is a Patriot" certificate to the Members of Council and to Sheriff George McMillan in recognition of their assistance to the families of City employees serving in the military.

"The National Committee for Employer Support of the Guard and Reserve recognizes Roanoke City Council and the Roanoke City Sheriff's Department as a patriotic employer for contributing to national security and protecting liberty and freedom by supporting participation in America's National Guard and Reserve Force."

Also in attendance were ESGR, General White, and Mike Cavanaugh, United States Reserve Ambassador.

General White commended the City of Roanoke for initiating and adopting a supportive plan for City employees serving in the National Guard and Reserve programs who have been, or may be, called to active duty. He stated that the United States is in a perilous period; the military is striving to remove itself from a quagmire not of its own choosing; active support and encouragement of the City's military member employees is vital for the war effort; and the Defense Department recognizes those municipalities such as the City of Roanoke and other employers that support the military.

Mike Cavanaugh, representing Lt. General James R. Helmley, Chief of the Army Reserve, advised that in his position as Ambassador, he represents the eyes and ears of Lt. General Helmley in the community and one of his responsibilities is to communicate what Reserve soldiers, who are an integral part of the United States Army, are doing worldwide. He stated that Reserve soldiers serve in over 100 countries around the world, and parts of the United States are populated strictly by Reservists who bring to their jobs as soldiers the spirit of their communities and their families, therefore, it is extremely important to remember that they are leaving their families and their employers when they go forth to serve in active duty. He advised that the U. S. Army is appreciative of employers like the City of Roanoke who go the extra mile to ensure that the needs of the families of soldiers are met on the home front. On behalf of Lt. General Helmley, he presented the Vice-Mayor with a photograph of soldiers from the Roanoke area and a two star coin.

Council Member Cutler advised that Roanoke makes up the difference between the military pay and the City of Roanoke pay in each instance for every Reservist and National Guard member employed by the City of Roanoke, which enables the employee to be kept whole with respect to his or her income while serving in active duty.

General White commended the City of Roanoke for being recognized as the first municipality in the Commonwealth of Virginia to provide the differential in pay.

The Vice-Mayor advised that there is no finer honor than to serve one's country, and the City of Roanoke values and supports the troops who are serving their country. He commended the Sheriff and the City Manager for their understanding of the dedication of Roanoke's employees who are members of the National Guard and the Reserve, and it is hoped that Roanoke's Sister Cities in the eastern part of the State will understand that the City of Roanoke made a positive and proper leadership decision and will follow suit.

ACTS OF ACKNOWLEDGEMENT-HOUSING/AUTHORITY-CITY EMPLOYEES: Earl Saunders, President; Carolyn Coles, Board Member; and Edward Murray, Executive Director, Rebuilding Together, Roanoke Program, advised that Rebuilding Together Roanoke is a volunteer organization that repairs the homes of elderly, disabled and low income persons in the Roanoke area.

Mr. Saunders stated that this year, as a result of the support of sponsors from a wide range of organizations, businesses, churches, etc., Rebuilding Together made significant major repairs to 27 homes, 25 of which are located in the City of Roanoke. He advised that the City of Roanoke has been a sponsor for many years and this year 26 City volunteers, under the leadership of W. Dan Webb and River Laker representing the City's Department of Housing and Neighborhood Services, volunteered over 162 hours to repair a City-sponsored house.

On behalf of Rebuilding Together Roanoke, Mr. Murray presented the Vice-Mayor with a plaque in appreciation of the City of Roanoke's sponsorship of a house.

"On behalf of Grateful Homeowners Across the Roanoke Valley, Rebuilding Together would like to thank the City of Roanoke - Rebuilding Day 2005 Housing Sponsor."

W. Dan Webb, Acting Director, Department of Housing and Neighborhood Services, advised that a team of approximately 20 City employees representing nine departments volunteered a total of 162 hours. He stated that repairs consisted of construction of a front porch, joist replacement, decking, guard rails, columns, painting, repair of a hole in the back porch, replacement of a door, yard work, gardening and two dumpsters of debris and trash were removed from the site. He advised that the project was enjoyed by all City employees and other participants and the City looks forward to participating in the program next year.

The Vice-Mayor requested that the City Manager express the gratitude and appreciation of Council to all City employees who participated in the program. He stated that whether the program is Rebuilding Together, or many other programs/projects that are initiated throughout the City, some of which are City sponsored, he is always amazed at the response and support of Roanoke's employees who take great pride in their desire to make the City of Roanoke a better community.

CONSENT AGENDA

The Vice-Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to three requests for Closed Session.

MINUTES: Minutes of the regular meeting of Council held on Monday, May 2, 2005, recessed until Wednesday, May 4, 2005, and Tuesday, May 10, 2005, were before the body.

Council Member Dowe moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

COMMITTEES-CITY COUNCIL: A communication from Vice-Mayor Beverly T. Fitzpatrick, Jr., requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Council Member Dowe moved that Council concur in the request of the Vice-Mayor to convene in a Closed Meeting as above described. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

CITY COUNCIL: A communication from Council Member Alfred T. Dowe, Jr., Chair, City Council's Personnel Committee, requesting that Council convene in a Closed Meeting to discuss the annual performance of two Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Council Member Dowe moved that Council concur in the request to convene in a Closed Meeting as above described. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Council Member Dowe moved that Council concur in the request of the City Manager to convene in a Closed Meeting as above described. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

TRAFFIC: W. Jackson Burrows, 325 Willow Oak Drive, S. W., appeared before Council and referred to a recent meeting with the Mayor and the Vice-Mayor in which he and his father, David Burrows, discussed the need for additional parking on Crystal Spring Avenue between 22nd Street and 23rd Street, S. W., due to an increase in business activity in the area. He advised that the Mayor and Vice-Mayor suggested development of a proposed plan, along with any improvements that property owners might be willing to fund; therefore, he enlisted the services of Rife and Wood Architects to develop a proposal.

He referred to a proposal which would provide an additional 13 spaces of diagonal parking, replacement of 280 feet of linear curb, three landscape islands would be required, the curve at 23rd Street would be redesigned, overgrown and oversized trees would be removed and replaced with an appropriate urban variety, six sections of sidewalk in front of the Mid Atlantic Securities and Crawford Commercial Real Estate building would be replaced, and lighting would be optional.

(See proposal on file in the City Clerk's Office.)

Discussion by Council involved whether the proposed improvements could be considered as a part of the village center concept; a concern was expressed with regard to cutting down trees, although it was acknowledged that current trees have become over grown; parking issues; the feasibility of a partnership between the City of Roanoke and business interests in the area; and the condition of an alley at the rear of Lipes Pharmacy.

In response to questions raised during the discussion, the City Manager advised that any project that would enhance the vitality of the community, while maintaining the residential character of the neighborhood would be in keeping with the village center concept as discussed in the City's Comprehensive Plan. With regard to funding of improvements through a partnership between the City of Roanoke and area businesses, she referred to the Grandin Road area that was

funded solely by the City of Roanoke, the neighborhood was involved in the planning process, adjustments were made in the plan for parking, and traffic calming measures were implemented. With regard to alley maintenance, she advised that the City maintains those public alleys from which it removes solid waste; and three to four years ago, when the City made the decision to discontinue the practice of collecting solid waste from certain alleys, it was with the Council's understanding that the City would no longer maintain alleys for private use. She stated that the alley in question at the rear of Lipes Pharmacy is open to public access and would be maintained by the City.

Everett Ward, President, Tinnell's Finer Foods, 2205 Crystal Spring Avenue, S. W., called attention to proposed plans to expand the retail operation and to improve the physical site. He stated that it is hoped that the City of Roanoke values the contributions of businesses in the area and will play an active role in connection with parking, streetscape, sidewalk, and landscaping improvements. He commended the City for recognizing Roanoke's village centers as a unique contribution to the economic life of the City and advised that village centers are not just an economic asset for retail services and the village concept they encourage, but they represent a true asset for the branding strategy that the City could use in its economic development efforts. He noted that potential employers often consider good schools and great neighborhoods when looking at locations to relocate, the City of Roanoke is fortunate to have thriving village centers, and it is hoped that the City will consider a partnership with businesses to improve this area of the City of Roanoke.

Ford Kemper, 2515 Avenham Avenue, S. W., spoke in support of the remarks of Mr. Ward. He stated that Tinnell's Finer Foods provides an anchor for a successful village center and it is important that existing village centers not be taken for granted as the City invests in other areas that could be vastly improved through modest improvements. He stated that with the surge of successful business activities, the Crystal Spring area could be vastly enhanced and improved as a result of certain modest improvements.

There being no further discussion, and without objection by Council, the Vice-Mayor advised that the proposal presented by Mr. Burrows would be referred to the City Manager for review and recommendation to Council.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: See pages 28-38.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-HOUSING/AUTHORITY-GRANTS: The City Manager submitted a communication advising that CDBG, HOME and ESG funds provide for a variety of activities ranging from housing and community development to homelessness prevention and economic development through the U. S. Department of Housing and Urban Development (HUD); the City has received entitlement grant funds for over 20 years and must reapply annually; and on May 10, 2005, pursuant to Resolution No. 37051-051005, Council authorized the filing of three separate funding applications as part of its approval of submission of the 2005-2010 Consolidated Plan to HUD.

It was further advised that the funding release process is underway, and HUD's letter of approval is forthcoming granting the City access to 2005-2006 CDBG, HOME and ESG entitlements; the 2005-2010 Consolidated Plan with Fiscal Year 2005-2006 Action Plan approved by Council included \$4,103,618.00 in new entitlement funds, anticipated program income and funds unexpended from prior year accounts; and recommended actions also include appropriation of an additional \$77,015.00 of HOME funds being appropriated to an unprogrammed account for use in future activities and will be incorporated into the Consolidated Plan at a later date through a revision or amendment.

It was noted that acceptance of funds and appropriation or transfer to certain accounts are needed in order to permit 2005-2006 activities to proceed; and acceptance of the 2005-2006 HOME entitlement requires \$85,191.00 in local match which will be satisfied by excess matching funds banked in previous years from such sources as below market rate loans from non-federal sources.

The City Manager recommended that Council adopt a resolution accepting 2005-2006 CDBG, HOME and ESG entitlement funds, in the amount of \$2,909,053.00, contingent upon receipt of an approval letter from HUD as follows:

CDBG 2005-2006 Entitlement	\$2,104,805.00
HOME 2005-06 Entitlement	723,526.00
ESG 2005-2006 Entitlement	<u>80,722.00</u>
TOTAL	\$2,909,053.00

- Authorize the City Manager to execute the required Grant Agreements, Funding Approval, and other forms required by HUD in order to accept the funds, subject to approval as to form by the City Attorney;
- Appropriate \$2,909,053.00 entitlement and \$483,051.00 in anticipated program income to revenue and expenditure accounts in the Grant Fund to be established by the Director of Finance;
- Transfer \$356,457.00 in CDBG and HOME accounts from prior years to projects included in the 2005-2006 CDBG and HOME programs;

- Increase the revenue estimate in CDBG revenue accounts by a total of \$401,152.00 and appropriate the funds into project expenditure accounts; and
- Increase the revenue estimate in HOME revenue accounts by a total of \$30,920.00 and appropriate the funds into project expenditure accounts.

Council Member Cutler offered the following budget ordinance:

(#37086-062005) AN ORDINANCE to appropriate funding for the Community Development Block Grant, HOME Investment Partnerships Program and Emergency Shelter Grant Program, amending and reordaining certain sections of the 2005-2006 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 434.)

Council Member Cutler moved the adoption of Ordinance No. 37086-062005. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

Council Member Cutler offered the following resolution:

(#37087-062005) A RESOLUTION accepting the Fiscal Year 2005-2006 funds for the Community Development Block Grant (CDBG) program, the HOME Investment Partnerships program (HOME) and the Emergency Shelter Grant (ESG) program and authorizing the City Manager to execute the requisite Grant Agreements with the United States Department of Housing and Urban Development (HUD).

(For full text of resolution, see Resolution Book No. 69, Page 437.)

Council Member Cutler moved the adoption of Resolution No. 37087-062005. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

BUDGET-GRANTS-ECONOMIC DEVELOPMENT: The City Manager submitted a communication advising that the Virginia Economic Development Partnership (VEDP) established the Virginia Opportunity Region Grant to assist governments in the State with marketing; the Department of Economic Development applied in March 2005 for a grant to purchase a marketing booth for trade shows; and in April, the Virginia Economic Development Partnership awarded the City of Roanoke a grant in the amount of \$6,061.20, requiring 50 per cent in matching funds.

It was further advised that matching funds for the grant of \$3,030.60 is available in the Economic Development Department budget, Account No. 001-310-8120-2015; and the contract to receive the grant was executed by the City Manager and returned to the State by June 17, 2005, in order for the funds to be received.

It was explained that action by Council is needed for the City of Roanoke to formally accept and appropriate funds and to authorize the Director of Finance to establish a revenue account to receive the funds; and Council must certify its acceptance of the City Manager's execution of the Agreement for the Virginia Opportunity Region Grant.

The City Manager recommended that Council accept the grant and appropriate State grant funds, in the amount of \$6,061.20, in an account to be established by the Director of Finance in the Grant Fund; and approve and ratify the City Manager's execution of the above referred grant agreement and authorize the City Manager to execute any other required grant documents, subject to approval as to form by the City Attorney.

Council Member Dowe offered the following budget ordinance:

(#37088-062005) AN ORDINANCE to appropriate funding for the Virginia Opportunity Region Grant, amending and reordaining certain sections of the 2004-2005 General and Grant Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 438.)

Council Member Dowe moved the adoption of Ordinance No. 37088-062005. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

Council Member Dowe offered the following resolution:

(#37089-062005) A RESOLUTION authorizing the acceptance of a Virginia Opportunity Region Grant from the Virginia Economic Development Partnership; ratifying the execution of grant documents; and authorizing execution of any other required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 69, Page 438.)

Council Member Dowe moved the adoption of Resolution No. 37089-062005. The motion was seconded by Council Member Cutler and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

FIRE DEPARTMENT-SALE/PURCHASE OF PROPERTY: The City Manager submitted a communication advising that construction of three new Fire/EMS stations was proposed under the Strategic Business Plan for the Fire/EMS Department; construction of the new stations will facilitate the consolidation of other fire stations; a site has been identified on Williamson Road that is suitable for one of the new stations; the owner has agreed to sell the property for \$225,000.00 "net"; and appropriation of funds for purchase of the property is included in another report to be addressed at a later time during the Council meeting.

The City Manager recommended that she be authorized to acquire, in fee simple, a parcel of land identified as Official Tax No. 2170128, following satisfactory environmental site inspection and title examination.

Council Member Dowe offered the following ordinance:

(#37090-062005) AN ORDINANCE providing for the acquisition of certain property needed by the City for development of a jointly operated Fire - EMS station by the City and Roanoke County, located on Williamson Road, bearing Roanoke City Tax No. 2170128, and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 69, Page 439.)

Council Member Dowe moved the adoption of Ordinance No. 37090-062005. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

BUDGET-INDUSTRIES-ECONOMIC DEVELOPMENT: The City Manager submitted a communication advising that in 1997, Maple Leaf Bakery signed an original Performance Agreement with the City of Roanoke and the Industrial Development Authority of the City of Roanoke, Inc. (IDA), agreeing to make a \$32 million investment in construction and equipment at the Roanoke Centre for Industry & Technology (RCIT), while hiring 200 employees; and part of the Agreement was a \$200,000.00 grant from the Governor's Opportunity Fund.

It was further advised that following the signing of the Agreement, Maple Leaf indicated the original investment would be less than \$32 million, and the Company would hire less than 200 employees; the Virginia Economic Development Partnership (VEDP) was contacted regarding the GOF, and a letter was received by the City indicating that \$110,000.00 of GOF monies would be available to Maple Leaf up front and the remaining \$90,000.00 would be available once original requirements were met; and the City had already matched the original \$200,000.00.

It was explained that earlier this year, Maple Leaf indicated that it had met the terms of the original Agreement and supplied documentation; a letter was sent to the Virginia Economic Development Partnership requesting the remaining \$90,000.00 which was received by the City on May 23, 2005; and funds received from the Governor's Opportunity Fund must be appropriated by Council before funds may be paid to Maple Leaf via the IDA.

The City Manager recommended that Council adopt an ordinance establishing a revenue estimate of \$90,000.00 in the Capital Projects Fund, Account No. 008-310-9635-9830, Maple Leaf Development, and appropriate funds in the same amount to an expenditure account to be established by the Director of Finance.

Council Member Cutler offered the following budget ordinance:

(#37091-062005) AN ORDINANCE to appropriate funding received from the Governor's Opportunity Fund for the Maple Leaf Development Project, amending and reordaining certain sections of the 2004-2005 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 440.)

Council Member Cutler moved the adoption of Ordinance No. 37091-062005. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

BUDGET-YMCA.-GREENWAY SYSTEM: The City Manager submitted a communication advising that beginning in fiscal year 2002, the City committed to a \$2.0 million investment to be paid in \$200,000.00 increments over a ten-year period to the Downtown Family YMCA; funds cover costs associated with design and construction of a new central branch YMCA complex; and City residents will receive a discounted membership rate, which will allow them to visit any YMCA facility, including the facility in the City of Salem.

It was further advised that beginning in fiscal year 2002, the City committed to contributing \$200,000.00 per year for ten years, for a total of \$2.0 million to greenway development in the City of Roanoke; greenways have become a necessary commodity for communities across the United States since they are viewed as an essential amenity that encourages economic development; greenways connect people to various aspects of a community such as parks, shops, schools and neighborhoods; and Roanoke currently has several greenway projects underway in various stages of development, with a core design element to include connections to Roanoke's primary greenway artery, the Roanoke River Greenway.

The City Manager recommended that Council adopt an ordinance to appropriate \$200,000.00 from the Economic and Community Development Reserve to the Downtown Family YMCA, Account No. 008-620-9757-9003; and appropriate \$200,000.00 from the Economic and Community Development Reserve to Greenways Development, Account No. 008-620-9753-9003.

Council Member Cutler offered the following budget ordinance:

(#37092-062005) AN ORDINANCE to appropriate funding from the Economic and Community Development Reserve for the YMCA Aquatic Center and the Greenway Development Projects, amending and reordaining certain sections of the 2004-2005 Capital Projects Fund Appropriations and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 441.)

Council Member Cutler moved the adoption of Ordinance No. 37092-062005. The motion was seconded by Council Member Dowe.

Council Member Cutler expressed concern with regard to the financial status of the Roanoke Valley Greenway Commission and staff that was established some time ago with the assistance of a State grant which will soon expire. He stated that funds will be needed from all participating governments to retain the position of Executive Director and to address other Greenway Commission expenses.

The City Manager responded that the above referenced request pertains to capital funds and a ten year commitment made by the City several years ago to set aside \$200,000.00 per year for greenway construction, in order to complete the greenway system and the City's contribution to the new YMCA. She advised that while the ongoing operation and administration of the Roanoke Valley Greenway Commission may be an issue in the future, it is not anticipated to impact the current year budget, or the upcoming fiscal year budget, and a request for funds will be addressed at such time as the Roanoke Valley Greenway Commission submits an official request to all Roanoke Valley jurisdictions for additional operating funds.

Council Member Wishneff advised that when the Economic and Community Development Reserve Fund was established, his expectation was that the Fund would be used for economic development proposes/projects, and not general community commitments, or commitments that were made for a certain period of time. He further stated that he was not opposed to either the YMCA Aquatic Center or Greenway Development Projects, but funds are proposed to be taken from the wrong funding source, therefore, he could not support the recommendation of the City Manager.

There being no further discussion, Ordinance No. 37092-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Cutler, Dowe and Vice-Mayor Fitzpatrick-----5.

NAYS: Council Member Wishneff -----1.

(Mayor Harris was absent.)

BUDGET-FLEET MANAGEMENT: The City Manager submitted a communication advising that it is anticipated that the cost of vehicle repairs for vehicles used by General Fund departments will exceed the budget by \$250,000.00 due to cost of repairs for Fire/EMS, Solid Waste Management and Police vehicles and equipment; vehicles and equipment used by Fire/EMS and Solid Waste Management are specialized in function and are generally more costly to repair; and it is anticipated that expenses for the Occupational Health Clinic will exceed the budget by \$51,000.00 due to expanding program services to include family members of employees.

It was further advised that funding to address additional costs for vehicle repairs is available from incremental revenue generated by the Recordation Tax; it is anticipated that revenue from this source will exceed the revenue estimate by \$386,000.00 as a result of an increase in the Recordation Tax approved during the 2004 Session of the Virginia General Assembly that became effective in September 2004; and funding to cover expenses of the Occupational Health Clinic is provided from the Health Insurance Reserve.

The City Manager recommended that the Director of Finance be authorized to increase the Recordation Tax, Account No. 001-110-1234-0216 revenue estimate by \$386,000.00; increase Occupational Health Services, Account No. 001-110-1234-0884 revenue estimate by \$51,000.00; appropriate \$250,000.00 for vehicle repairs; appropriate \$51,000.00 to the Occupational Health Clinic budget, Account No. 001-340-1263; appropriate \$136,000.00 to the City Manager Contingency, Account No. 001-300-9410-2199, as an additional contingency for unplanned expenditures and year-end close out; and use of the funding will be reported to Council in the City Manager Transfer section of the monthly financial report.

Council Member Dowe offered the following budget ordinance:

(#37093-062005) AN ORDINANCE to appropriate additional funding for certain internal service and Occupational Health Clinic charges, amending and reordaining certain sections of the 2004-2005 General and Risk Management Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 442.)

Council Member Dowe moved the adoption of Ordinance No. 37093-062005. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

ART MUSEUM OF WESTERN VIRGINIA: The City Manager submitted a communication advising that the City of Roanoke and the Art Museum of Western Virginia entered into an Agreement dated October 4, 2000, in connection with the City's providing certain funding in relation to the Art Museum's proposal to design, develop and construct a new building or complex to be located in the City of Roanoke to house an Art Museum, and possibly other entities to provide facilities and services to residents of the City of Roanoke and Southwestern Virginia; the Agreement required certain actions to be taken on or before a certain date or dates; the Agreement was amended on June 17, 2002, in order to extend the time of performance of certain actions to be taken pursuant to the Agreement; and the City of Roanoke and the Art Museum mutually desire that the time of performance of certain actions to be taken pursuant to the Agreement be extended for another one-year period.

It was further advised that the City of Roanoke and the Western Virginia Foundation for the Arts and Sciences ("Foundation") entered into an Agreement dated April 16, 2002, pursuant to which the City agreed to convey certain property to the Foundation, subject to certain terms and conditions; and the Foundation desires to assign its rights and obligations pursuant to the Agreement to the Art Museum of Western Virginia ("Art Museum").

It was noted that the Art Museum agrees to be bound to the terms of the Agreement to the extent that the Foundation was so bound; the City of Roanoke accepts the Art Museum as assignee of the Foundation with all rights and responsibilities of the Foundation; an Assignment of Agreement is necessary to assign the rights and obligations pursuant to the Agreement to the Art Museum; Amendment No. 2 is necessary to extend the time of performance of certain actions to be taken pursuant to the Agreement; and Amendment No. 3 is necessary to amend certain provisions of the Agreement pursuant to the Assignment of Agreement and certain other developments.

The City Manager recommended that she be authorized to execute the Assignment of Agreement for disposition of certain property to the Art Museum of Western Virginia, subject to approval as to form by the City Attorney; to execute Amendment No. 2 to the Agreement between the City of Roanoke and the Art Museum of Western Virginia to extend the time of performance for commencement of construction for an additional one-year period ending June 30, 2006, subject to approval as to form by the City Attorney; and to execute Amendment No. 3 to the Agreement between the City of Roanoke and the Art Museum of Western Virginia to amend certain provisions of the Agreement pursuant to the Assignment of Agreement and certain other developments, subject to approval as to form by the City Attorney.

Council Member Dowe offered the following resolution:

(#37094-062005) A RESOLUTION authorizing execution of an amendment to an Agreement with the Art Museum of Western Virginia ("Art Museum"), dated October 4, 2000, relating to the development of an art museum, and execution of an Assignment Agreement by which the Western Virginia Foundation for the Arts and Sciences ("Foundation") will assign to the Art Museum its rights and obligations pursuant to an agreement with the City dated April 16, 2002.

(For full text of resolution, see Resolution Book No. 69, Page 444.)

Council Member Dowe moved the adoption of Resolution No. 37094-062005. The motion was seconded by Council Member Cutler.

E. Duane Howard, 1135 Wasena Avenue, S. W., advised that he did not wish to take issue with design aspects of the proposed building; however, the new Art Museum should be located on a City block by itself, surrounded by green space, trees, fountains and park benches, in order to create a building that would be representative of the Roanoke Valley and the mountains that the building represents, instead of being situated between an ancient building and a freeway,

all of which would be a disgrace not only to the Art Museum, but to the art elements that the building will house. He stated that his preference would be to replace an entire City block of old historic buildings in order to construct a new futuristic art museum building.

Council Member Wishneff called attention to discussion in the next 30 to 60 days with regard to creating a Cultural District in the City of Roanoke. He stated that all across the country, there is a growing recognition that locating museums in the suburbs is not the way to go and there is now an interest in bringing museums back to the downtown central core, within walking distance of other cultural and retail establishments.

Council Member Cutler advised that the proposed location will be accessible to and in the heart of the City of Roanoke where various improvements are currently taking place in the downtown area. He stated that architectural diversity will also be a plus.

Council Member Dowe advised that because of limited available space, the City of Roanoke is faced with situations where it is necessary to be creative. He stated that he is excited to hear the comments of Mr. Howard concerning the new building, especially since Mr. Howard has articulated himself as a natural preservationist and a person who gravitates toward history.

Resolution No. 37094-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

CONVENTION AND VISITORS BUREAU-TOURISM-VISITOR'S INFORMATION CENTER: The City Manager submitted a communication advising that the City of Roanoke annually has entered into an Agreement with the Roanoke Valley Convention and Visitors Bureau (RVCVB) to provide funding for marketing the Roanoke Valley as a convention and destination tourism site; as part of the annual budget adopted by Council on May 10, 2005, the Memberships and Affiliations budget includes funding of \$541,440.00 specifically designated for the RVCVB; and an additional \$306,000.00 is designated in the annual budget for marketing efforts and will go to the RVCVB, subject to an adjustment provision as set forth in the Agreement.

It was further advised that the City of Roanoke has negotiated a one-year Agreement commencing July 1, 2005, with the RVCVB detailing the use of the funds; the Agreement provides for the same number of City of Roanoke representatives on the RVCVB Board of Directors as last year; the Agreement also contains a mutual indemnity clause, paragraph 9, which requires the approval of

Council; the RVCVB submitted a detailed report listing accomplishments made through April 2005; and an annual budget and work plan for 2005-2006 will be submitted to the City Manager for review and approval, upon approval of the RVCVB Board of Directors.

The City Manager recommended that she be authorized to execute an Agreement, in the amount of \$847,440.00, with the RVCVB, subject to approval by the City Attorney, for the express purpose of marketing the Roanoke Valley as a regional destination for convention and destination tourism.

Council Member Dowe offered the following resolution:

(#37095-062005) A RESOLUTION authorizing an agreement with the Roanoke Valley Convention and Visitors Bureau for the purpose of increasing tourism in the Roanoke Valley.

(For full text of resolution, see Resolution Book No. 69, Page 445.)

Council Member Dowe moved the adoption of Resolution No. 37095-062005. The motion was seconded by Council Member McDaniel.

E. Duane Howard, 1135 Wasena Avenue, S. W., expressed concern with regard to the overall image of the City of Roanoke and the lack of maintenance of certain City facilities. He referred to a photograph in the 2005 City Calendar depicting downtown Roanoke and showing trash piled up on the street beside a fire hydrant. He called attention to trash that was allowed to accumulate around a fire hydrant on Luck Avenue, S. W., in the general vicinity of the Jefferson Center that was removed after numerous complaints were filed with various City departments. He advised that some time ago, the City spent over \$220,000.00 on improvements to Wiley Drive and Smith Park, and called attention to broken/damaged cement flower boxes along Smith Park and Wiley Drive which serve as an example of improperly maintained City facilities.

Council Member Wishneff inquired as to the number of Roanoke Valley jurisdictions that are dues paying members of the Roanoke Valley Convention and Visitors Bureau; whereupon, the City Manager advised that the City of Roanoke provides approximately 75 per cent of all funding for the RVCVB; i.e.: in the range of \$850,000.00 and several years ago, the City increased the transient lodging tax and dedicated the additional one per cent for the purposes of marketing Roanoke; and other participants in funding the Convention and Visitors Bureau are Roanoke County, the City of Salem, Botetourt County, Franklin County and Craig County.

The City Manager advised that for a number of years she has advocated an increase in the contribution by other Roanoke Valley jurisdictions to the RVCVB; and recently the Convention and Visitors Bureau prepared a strategic plan, however, the plan lacks the ability to be delivered due to the lack of additional funding. She stated that a strategic plan will be prepared including various options through which the Convention and Visitors Bureau would pursue additional funding, both through the public sector and the private sector, and the

RVCVB has been encouraged to look at potential membership and involvement by the business community. She added that the City has placed the Convention and Visitors Bureau on notice that the City of Roanoke would not consider increasing its level of participation until there is a serious effort on the part of other jurisdictions to pay their fair share which can be determined in a number of different ways.

During further discussion, the City Manager advised that the Sports Committee of the Roanoke Valley Convention and Visitors Bureau is one of the most active committees of the RVCVB and is composed of persons who have a keen interest in athletics and sports. She stated that the Sports Committee actively solicits conferences, conventions and tournaments to the Roanoke Valley in an effort to expose Roanoke to those persons who might not otherwise visit the locality.

Council Member Lea expressed concern with regard to sports marketing efforts by the Roanoke Valley Convention and Visitors Bureau. He spoke in support of the City of Roanoke hosting a Virginia high school league playoff game in any sport, and stated that he would like for the City of Roanoke to become more involved in amateur sports, even at the NCAA level. He referred to sporting events that are held throughout the Roanoke Valley such as the City of Radford hosts the spring jubilee of all schools across the state for spring sports (tennis, golf, baseball, etc.); for a number of years the City of Lynchburg hosted the Virginia High School League State Basketball Tournament; Liberty University hosts a football tournament; and the City of Salem hosts numerous sporting events. He stated that even though the Roanoke Valley Convention and Visitors Bureau represents the entire Roanoke Valley, he would like to ensure that the City of Roanoke is in the forefront. While he expressed appreciation for the work of the RVCVB, he stated that in the future, it is hoped that the RVCVB will be more focused on bringing sporting events to the City of Roanoke, especially in view of the fact that the City provides 75 per cent of RVCVB funding.

Council Member Dowe advised that those Roanoke Valley jurisdictions that were once dependent upon the City of Roanoke for certain things are not as dependent today. He called attention to a recent news conference that announced six new tournaments that other jurisdictions in the Roanoke Valley do not have sufficient hotel space to accommodate and the primary reason that the City of Roanoke cannot be the lead locality is due to the fact that Roanoke does not have adequate playing facilities. He encouraged Roanoke Valley localities to submit regional packages for sporting events/tournaments.

Council Member Lea responded that the issue is not so much whether or not the City of Roanoke has adequate playing facilities, but a question of making wise decisions in terms of priorities.

Resolution No. 37095-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

HUMAN DEVELOPMENT: The City Manager submitted a communication advising that the City of Roanoke Department of Social Services has a contract with Virginia Commonwealth University (VCU) to manage Virginia Institute for Social Services Training Activities (VISSTA) Piedmont Area Training Center; the contract is subject to renewal annually, and includes funding for all expenses that are necessary to operate the program; the Center located in downtown Roanoke, is one of five Centers in the Commonwealth of Virginia, and within the Piedmont region, and the City of Roanoke DSS is the largest agency served; training is provided to staff of local departments of social services in the region; and childcare providers in the area also receive training at VISSTA.

It was further advised that beginning this year, the VISSTA Area Training Center has expanded services to provide policy training formerly conducted directly by the Virginia Department of Social Services; there were approximately 3,962 people trained in Roanoke in fiscal year 2004, and it is anticipated that 5,000 persons will come to Roanoke for VISSTA training by the end of fiscal year 2005; the number will increase for fiscal year 2006; and VCU is adding eight trainers and one training assistant to work out of the Roanoke office; therefore, additional office space and training facilities are needed.

It was explained that approximately 4,450 square feet of office space is under lease at First Campbell Square, of which 2,250 square feet are leased under an agreement dated May 7, 1998, and 2,200 square feet are leased under an agreement dated June 21, 2001; areas are located on the fourth floor and include a training room, two computer labs, four offices and a storage area; current leases for the area will expire on April 30, 2006; space will be remodeled to eliminate offices and storage areas and add a multipurpose lunchroom/training area; leases need to be extended in order to expire at the same time as additional space to be rented; and the new lease rate for combined areas on the fourth floor shall be \$63,412.50 annually (\$14.25 per square foot), which will include the cost of renovations.

It was noted that an additional area of approximately 3,300 square feet on the first floor needs to be leased for expanded space for storage, 14 offices, and a conference room; proposed rent for the space is \$47,025.00 annually (\$14.25 per square foot) which includes the cost of renovations; funds for the leases are 100 per cent reimbursable from VCU, and the VISSTA budget for fiscal year 2006 from VCU will include the amount needed for the lease; should funding from VCU cease, the City may terminate the lease; and funds have been appropriated to the City's fiscal year 2005-2006 budget for VISSTA and are included in the General Fund revenue estimate.

The City Manager recommended that she be authorized to execute a Lease Agreement with First Campbell Square, LLC, subject to approval as to form by the City Attorney, for 3,300 square feet of space located on the first floor of First Campbell Square and for a period of five years, beginning July 1, 2005 and ending June 30, 2010; and to execute amendments to the May 7, 1998 lease and the May 1, 2001 lease with First Campbell Square, LLC, subject to approval by the City Attorney, to extend the term of such leases until June 30, 2010.

Council Member Cutler offered the following ordinance:

(#37096-062005) AN ORDINANCE authorizing the City Manager to enter into a lease agreement with First Campbell Square, LLC, for the lease of space at 210 First Street, and amendments to the May 7, 1998 lease and the May 1, 2001 lease, for use by the City of Roanoke to operate the Virginia Institute for Social Service Training Activities ("VISSTA") Piedmont Area Training Center, upon certain terms and conditions; and dispensing with the second reading of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 446.)

Council Member Cutler moved the adoption of Ordinance No. 37096-062005. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

LICENSES: The City Manager submitted a communication advising that the City of Roanoke and KMC Telecom of Virginia, Inc., (KMC Virginia) entered into a Temporary Nonexclusive Revocable License Agreement dated January 7, 1997, (License Agreement) allowing KMC Virginia to install, operate, and maintain a telecommunications system or facilities in certain portions of the public ways within the City of Roanoke; the License Agreement provides that KMC will provide four dark fiber to the City at no cost; and the License Agreement was extended by an Extension Agreement dated October 2, 1997, further amended by a First Amendment dated February 25, 1998, and a Second Amendment dated October 1, 1998, which extended the License Agreement on a month-to-month basis; and KMC Virginia has operated in the City of Roanoke since January 7, 1997, and has established a customer base within the City.

It was further advised that in February 2005, KMC Virginia and TelCove, Inc., entered into an Asset Purchase Agreement under which TelCove, Inc., and/or TelCove of Virginia, LLC (TelCove Virginia) would acquire KMC's network transmission facilities (fiber, conduit, and other equipment) within the City of Roanoke; at the same time, the Asset Purchase Agreement provides that other

KMC facilities in Virginia will also be transferred and assigned to TelCove, Inc., and/or TelCove Virginia; the transfer is intended to take place on July 1, 2005, or as soon thereafter as the necessary governmental approvals can be obtained; and KMC Virginia and TelCove Virginia have filed a joint application with the Virginia State Corporation Commission to approve the asset transfer.

It was explained that the License Agreement requires any transfer or assignment by KMC Virginia of such License Agreement to have the consent of Council; accordingly, KMC Virginia, TelCove, Inc., and TelCove Virginia have requested that Council consent to the transfer and assignment; and TelCove Virginia and/or TelCove, Inc., have agreed to fully comply with all terms, conditions and obligations of the License Agreement.

The City Manager recommended that Council consent to the transfer and assignment of the Temporary Nonexclusive Revocable License Agreement between the City of Roanoke and KMC Virginia to TelCove, Inc., and/or TelCove of Virginia, LLC, upon such terms and conditions as the City Manager deems appropriate, with the form of the Assignment Agreement to be approved by the City Attorney; and that the City Manager be further authorized to take such actions and to execute such documents as may be necessary to accomplish the transfer and assignment and to administer and enforce the License Agreement.

Council Member Cutler offered the following resolution:

(#37097-062005) A RESOLUTION consenting to the transfer and assignment of a Temporary Nonexclusive Revocable License Agreement dated January 7, 1997, between the City of Roanoke and KMC Telecom of Virginia, Inc., (KMC Virginia) to TelCove of Virginia, LLC and/or TelCove, Inc.; and authorizing the City Manager to execute an Agreement to accomplish such transfer and assignment and to take such actions and execute such documents as may be necessary to administer and enforce the License Agreement.

(For full text of resolution, see Resolution Book No. 69, Page 447.)

Council Member Cutler moved the adoption of Resolution No. 37097-062005. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

SEWERS AND STORM DRAINS-BUDGET-STREETS AND ALLEYS: The City Manager submitted a communication advising that the Southern Hills Neighborhood Plan identifies storm drain and street improvements needed along Southern Hills Drive; and plans have been completed to provide for an underground drainage system, improved water mains, sanitary sewer and a new curb and gutter, at an estimated total project cost of \$1,740,000.00.

The City Manager recommended that Council transfer \$1,740,000.00 to Account No. 008-530-9835, Southern Hills Drive Drainage, from the following sources:

Source	Amount	Account
Unappropriated CMERP	\$407,756.00	001-3323
Capital Improvement Reserve - Economic Development	\$576,006.00	008-530-9575-9178
Grow America Fund	\$225,000.00	008-310-9688-9003
Peters Creek Detention Basins	\$140,064.00	008-056-9656-9088
Johnson & Johnson Offsite Improvements	\$54,248.00	008-002-9700-9003
Johnson & Johnson Offsite Improvements	\$49,703.00	008-002-9700-9001
NPDES Phase II	\$65,800.00	008-530-9736-9003
Transportation - Street Paving (FY05-06 Funds)	\$153,082.00	001-530-4120-2010
Curb, Gutter, Sidewalk #3	\$68,341.00	008-530-9806-9076
Total	\$1,740,000.00	

Council Member Cutler offered the following budget ordinance:

(#37098-062005) AN ORDINANCE to transfer funding from various capital projects to the Southern Hills Drive Street and Drainage Improvements Project, amending and reordaining certain sections of the 2004-2005 General and Capital Projects Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 448.)

Council Member Cutler moved the adoption of Ordinance No. 37098-062005. The motion was seconded by Council Member Dowe.

Upon question, the City Manager advised that the project extends down the entire length of Southern Hills Drive to the intersection with Griffin Road; and the project involves not only the creation of an appropriate storm drainage system for the area, but increases the water main from a two inch main to an eight inch main, realigns the sanitary sewer system and provides a new curb and gutter system.

She stated that the project was first contemplated in 1999, when a proposal for development of certain property on Route 220 was submitted and the developer was given an incentive package that involved a commitment of approximately \$800,000.00 for certain improvements that did not materialize. She explained that the same \$800,000.00 that were set aside for the project are now included in the transfers that are shown as the Grow America Fund and the Capital Improvement Reserve; and funds were reallocated several years ago when the Southern Hills development project did not occur.

The City Manager further advised that this is a project that is long overdue; therefore, the various transfers are recommended; the City will be reimbursed by the Western Virginia Water Authority for the water main upgrade which would be bid with the total project and the cost of sewer main improvements would not be reimbursable inasmuch as they are not considered to be an upgrade, but are required to be moved because the sewer main interferes with location of the storm drainage system.

Question was raised with regard to ownership of sewer and water mains, etc., following construction; whereupon, the City Manager advised that water and sewer mains would become the ownership and responsibility for maintenance of the Western Virginia Water Authority, and the storm drainage system, curb and gutter, and paving of the street would become the responsibility of the City of Roanoke for future maintenance.

There being no further discussion, Ordinance No. 37098-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

Council Member Dowe offered the following budget ordinance:

(#37099-062005) AN ORDINANCE to transfer funding from Transportation - Street Paving Project to the Southern Hills Drive Street and Drainage Improvements Project, amending and reordaining certain sections of the 2005-2006 General and Capital Projects Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 449.)

Council Member Dowe moved the adoption of Ordinance No. 37099-062005. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

DIRECTOR OF FINANCE:

BUDGET-SCHOOLS: The Director of Finance submitted a communication transmitting a request for appropriation of \$300,000.00 for the Food Service Program, representing additional costs experienced by the Program through fiscal year 2005, said program to be 100 per cent reimbursed by Federal funds.

The Director of Finance recommended that Council concur in the request of the School Board.

Council Member Dowe offered the following budget ordinance:

(#37100-062005) AN ORDINANCE to appropriate Federal funding for School Food Services, amending and reordaining certain sections of the 2004-2005 School Food Services Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 450.)

Council Member Dowe moved the adoption of Ordinance No. 37100-062005. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL: Council Member Dowe acknowledged recipients of the B'nai Brith Athletic Achievement Awards which were presented on May 23, 2005.

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL: Council Member Dowe congratulated organizers of and participants in the American Cancer Society Relay for Life. He also commended organizers of and participants in the Miss Virginia Pageant which will be held in the City of Roanoke on June 20-25, 2005. He wished all fathers in the Roanoke Valley a belated and happy Father's Day.

ANIMALS/INSECTS-PARKS AND RECREATION-CITY COUNCIL: Council Member Wishneff requested that the City Manager explore the feasibility of establishing a dog park in the City of Roanoke.

The City Manager advised that a dog park is under consideration largely as a result of enforcement efforts by Animal Control Officers of the leash requirement in City parks, and Council will be provided with a progress report.

DRUGS/SUBSTANCE ABUSE-CITY COUNCIL: Council Member Lea referred to the recent court ruling with regard to the methadone clinic on Hershberger and Cove Roads, N. W., and inquired as to future action(s), if any, that may be taken by the City. The City Attorney responded that the City of Roanoke is not a party to the lawsuit and, at some point, an evidentiary hearing will be held to allow both parties in the case to present evidence that will enable a judge to rule on the motion before the court.

CITY COUNCIL-SCHOOLS: Council Member Cutler advised that he represented the City of Roanoke at the Ribbon Cutting Ceremony for the new Roanoke Academy for Mathematics and Science on Sunday, June 12, 2005, and encouraged all citizens to visit the new facility.

CITY COUNCIL-GREENWAY SYSTEM-WATER RESOURCES: Council Member Cutler called attention to volunteer efforts by approximately 130 persons, representing a total of 1,738 hours of labor, to improve biking and hiking trails at the Carvins Cove Natural Reserve.

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL-DOWNTOWN ROANOKE, INCORPORATED: Council Member Cutler congratulated Downtown Roanoke, Inc., for hosting "Movies in the Park" in Elmwood Park.

DRUGS/SUBSTANCE ABUSE-CITY COUNCIL: Council Member Cutler referred to an article in the Sunday, June 19, 2005 edition of *The Roanoke Times* under the caption, "Working in the Shadows", with regard to day laborers in the City of Roanoke. He quoted a sentence from the article that referred to a "crack market" in the area of the Main Library in downtown Roanoke, and asked that the City Manager investigate the statement and report to Council.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Vice-Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

POLICE DEPARTMENT: Shaheed Omar, 1219 Loudon Avenue, N. W., advised that he addressed Council at its meeting on Monday, April 18, 2005, with regard to the issue of alleged police brutality and he again addressed the Council on Monday, May 2, 2005, and suggested proposed recommendations for changes to the City's police complaint process. He expressed concern that to date, he had not received a response from the City Manager.

ARMORY/STADIUM-SCHOOLS: Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke in support of renovation of Victory Stadium and expressed concern that the 4th of July celebration will not be held at Victory Stadium in 2005. If the City plans to spend \$136,000.00 on improvements to Victory Stadium to accommodate high school football in the fall, he suggested that another \$150,000.00 be spent to repair seats and to renovate restrooms. He stated that renovating Victory Stadium would cost one-half the time and money compared to building a new structure.

POLICE DEPARTMENT-PARKS AND RECREATION-REFUSE COLLECTION-HOUSING/AUTHORITY-WEED ABATEMENT PROGRAM: Evelyn D. Bethel, 35 Patton Avenue, N. E., advised that some time ago, pursuant to action taken by a previous City Council, the Gainsboro community was targeted for urban renewal; whereupon, she inquired if the Gainsboro area is still considered to be a redevelopment area. She referred to a previous statement by the City Manager that a dog park is currently under consideration by City staff, yet several years ago, Gainsboro residents supported a play area for children which is included in the City's Comprehensive Plan as green space; however, the neighborhood was recently informed that the space may be used for construction of houses. She called attention to accumulation of trash in certain sections of the City where residents fill the large blue trash receptacles over capacity. She referred to weed and trash abatement violations and the appearance that some City inspectors earmark certain areas of the City to issue citations, while other areas of the City are ignored; therefore, she asked that there be consistency in enforcement activities by inspectors throughout the entire City of Roanoke. She called attention to the I-581 area in the vicinity of the Roanoke Civic Center where litter has accumulated. She suggested that the City enact a "scoop the poop" program to help keep the City of Roanoke clean.

PARKS AND RECREATION-RENTAL INSPECTION PROGRAM: E. Duane Howard, 1135 Wasena Avenue, S. W., advised that the Mill Mountain Star, which is one of the City's greatest tourist attractions, should be open to the general public 24 hours a day, seven days a week. He referred to proposed amendments to the City's Rental Inspection Program which is scheduled to be heard at the Council's

7:00 p.m. session and stated that the proposed ordinance will be ineffective in addressing Roanoke's rental properties. He advised that he was prepared to present further information to substantiate his statement at the Council's 7:00 p.m. public hearing.

CITY MANAGER COMMENTS:

CITY MANAGER: On a personal note, the City Manager advised that she recently became a grandmother for the fifth time with the birth of a baby girl.

CITY MANAGER-REFUSE COLLECTION: The City Manager advised that she serves on the Board of Directors of the Innovations Group and attended the recent Transforming Local Government Conference in Sarasota, Florida, at which time the City of Roanoke was the recipient of the J. Robert Howland Outstanding Achievement Local Government Innovation Award for the Solid Waste Management Roanoke Auxiliary Cab.

Frank W. Decker, III, Division Manager, Solid Waste Management, advised that design of the Roanoke Auxiliary Cab was a team building effort by employees of Solid Waste Management and Fleet Management in partnership with Truck Enterprises of Roanoke. He explained that the project involved a separate auxiliary cab for the third crew member and a dedicated space for tools, safety equipment and personal items, and the Roanoke Auxiliary Cab meets the objective of enhanced worker safety, efficiency and customer service.

ACTS OF ACKNOWLEDGEMENT-CITY EMPLOYEES: The City Manager advised that a team of 72 City employees and their families and friends participated in the American Cancer Society's Relay for Life on June 17 – 18, 2005, at the Roanoke Civic Center and raised approximately \$4,800.00.

HOUSING/AUTHORITY: The City Manager advised that the Colonial Green site will be cleared for construction of new houses and infrastructure during the week of June 20, 2005.

PARKS AND RECREATION-HOUSING/AUTHORITY: In response to previous remarks made by Ms. Evelyn D. Bethel, the City Manager advised that the Gainsboro community continues to be a redevelopment area. She stated that the property referenced by Ms. Bethel for park purposes is owned by the Roanoke Redevelopment and Housing Authority, correspondence with reference to the matter was sent to a number of persons in the Gainsboro community, and a copy will be forwarded to Ms. Bethel. Insofar as designating the land as a play area, she advised that the City's Department of Parks and Recreation has encouraged use of another site which is more conducive to a play area for children. She stated that the Roanoke Redevelopment and Housing Authority owns the property in question.

At 4:10 p.m., the Vice-Mayor declared the Council meeting in recess for two briefings, to be followed by three Closed Sessions which were approved earlier in the meeting.

At 4:20 p.m., the Council meeting reconvened in the Council's Conference Room, Room 451, Noel C. Taylor Municipal Building, for the following briefings:

ROANOKE CIVIC CENTER: The City Manager called upon Charles Anderson, Architect, representing the City Engineer's Office, for the following overview of the Roanoke Civic Center Phase II Expansion Project:

- Drawings taken from construction documents prepared by the architectural design consultant showed a large part of the site containing the Performing Arts Theatre, Coliseum Building and Phase I Office Buildings;
- Phase II Expansion consists of construction of approximately 75,000 total square feet, of which about 46,000 square feet includes the new Exhibit Hall as the centerpiece of expansion;
- A primary reason for constructing the new Exhibit Hall was to alleviate the current problem regarding the leasing of facilities for either exhibits or sporting events during the months of October through April;
- A proposed 5,000 – 6,000 square foot kitchen will have its own loading dock and will be centrally located;
- Kitchen and concession staff will be able to serve all elements within the complex, with access to meeting rooms, banquet halls and the Performing Arts Theatre;
- The north end of the new building will include a storage room that is designed to meet the needs of the Exhibit Hall;
- The south end of the new building will include a small concession area;
- Restrooms will be located and accessible to the Exhibit Hall, along the main corridor, and the lobby pre-function area;
- Access to the building will be primarily from the east side, located just to the west of the current entrance in the plaza area, with an entry point on the north end of the building off the parking area;
- A main feature of Phase II of the project will be a new and improved loading dock;
- Parking space will be available within the truck loading area for three vehicles, security fencing, etc.;

- RV and camper parking spaces for supporting staff of individual events will be located on the west side of the facilities;
- The Exhibit Hall will have a clear height of 30 feet which will accommodate sizeable exhibits such as large masts on sailboats at the boat show;
- The exterior will consist of split-face concrete block matching the coloration of existing pre-cast concrete masonry, and glass on the west end which is referred to as the “jewel box” effect will allow motorists traveling on I-581 to see into the Exhibit Hall;
- Utilities will be located within the floor, rather than across the floor, with conduit that will handle up to 480 volts of power, along with outlets for 220 volts at each location, and duplex-type electrical outlets for use by various vendors;
- Water access will be located throughout the facility;
- 237 8' x 10' booths or 281 8' x 8' booths can be accommodated within the Exhibit Hall (currently accommodates 200 8' x 8' booths); with a wireless communication system;
- Parking management for shows, with parking to be allowed along the fenced asphalt area which is considered an access road;
- A new cooling tower will be screened with additional landscaping;
- The current storage building will be eventually removed and converted to parking space; and
- Completion of construction is projected to be February, 2007.

Council Member Cutler inquired about continuing dialogue with representatives of The Hotel Roanoke and Conference Center and the City as to how Civic Center and Hotel functions might work together; whereupon, Wilhemina W. Boyd, Director, Civic Facilities, advised she had been in contact with representatives of the Conference Center, the Roanoke Valley Convention and Visitors Bureau and Contract Enterprise regarding those events that are held in the Exhibit Hall and also use facilities at The Hotel Roanoke. The City Manager advised that along with the Mayor, she previously met with a representative of the Fulton Corporation's marketing group, who was excited about Exhibit Hall expansion and expressed a desire to meet with City staff in approximately one year following completion of improvements because there is an outstanding

market from the Washington, D.C. and northern Virginia corridor for this size of Exhibit Hall space. She stated that other projects such as improvements to Lick Run and the lighting of the greenway between the rear of the Civic Center and The Hotel Roanoke will increase opportunities for persons to travel to and from the facility with a certain level of comfort and ease.

Council Member Cutler inquired if golf carts could be used to shuttle patrons through the area; whereupon, Mr. Anderson advised that consideration has been given to removing one of the sets of steps in order to reconfigure the area for access.

Council Member Cutler further inquired about the timetable for completion of the greenway project; whereupon, the City Manager advised that the project will be completed some time in 2005. With respect to events such as the Kiwanis Pancake and Auction Day that has been held for a number of years in the old Exhibit Hall, he further inquired if it would be possible to rent a portion of the new Exhibit Hall; whereupon, Mr. Anderson responded in the affirmative inasmuch as the Exhibit Hall was designed with the structural ability to support a partition system to accommodate different size events.

Council Member Dowe inquired about proposed plans for use of the existing Exhibit Hall; whereupon, Mr. Anderson stated that it is proposed to subdivide the 10,000 square feet Exhibit Hall by constructing a permanent wall around the outside corridor along existing columns, with a moveable wall-type partition system that would subdivide the space into combinations of meeting rooms, with access to an elevator in order to accommodate the movement of food to the Exhibit Hall.

With regard to trade shows and in an effort to be more multi-dimensional, Council Member Dowe inquired about plans for temporary seating; whereupon, Mr. Anderson stated that the Exhibit Hall would be flexible and designed to accommodate banquets for up to several thousand people, using chairs and a platform at the end or along one side of the area.

Council Member Dowe inquired as to what amenities would set the City's facilities apart from surrounding localities; whereupon, Mr. Anderson advised that presently there is no public address system in the facility, however, a system is included on the contingency list and a determination will be made as to the level of quality that will be required. The City Manager explained that every project budget contains a contingency, and it is hoped that the contingency would not be spent for unknowns, but for certain activities and upgrades; and as the project proceeds, completion of basic construction will disclose to the contractors whether there are problems in the design, or if something exists underground that was not anticipated.

Council Member Dowe noted that it would be less expensive to assess costs up front rather than after construction; whereupon, Mr. Anderson replied that preliminary work was completed with regard to the underground surface, there is the potential for recovering rock on the site, and there is some concern with

regard to how the two buildings will come together; and once it is known how new construction will interface with the existing building, when footings are in place and columns are constructed within the next four to six months, it will be easier to identify certain needs. The City Manager called attention to a lengthy construction period for the project; and the importance of ensuring that the Coliseum and the Performing Arts Theatre may continue to be used for events that were previously scheduled and/or will be scheduled over the next 12-18 months, and during those times when events are held, much of the construction will not be able to continue. She stated that the biggest unknowns occur during the earliest part of construction, and once the project proceeds past that point, decisions regarding enhancements, etc., can be made.

Council Member Dowe inquired about parking management, and asked if raising the roof of the Coliseum was still an option; whereupon, the City Manager advised a Master Plan for the Coliseum consisted of multiple phases, and at some point in the future Council may wish to allow for expansion of seating capacity in the Coliseum, with boxes and other amenities; prior to assuming the position of City Manager, the Civic Center operated through a certain level of subsidy from the City and the former Director of Civic Facilities was instructed not to exceed the subsidy for any reason, which created a disadvantage since decreases were made in custodial and maintenance areas; the City made improvements to the Civic Center complex based upon the Civic Center's revenue with the cap on the subsidy; Council's decision regarding Victory Stadium took some of the revenue off the table relative to funding the project; however, the Council believed in the importance of Civic Center expansion and there was agreement that the General Fund would support the project; and if the present or future Council wish to accelerate multiple phases of Civic Center expansion, it could be accomplished with the understanding that more General Fund money would be required as opposed to the principles that were applied several years ago that indicated that it could be 10-15 years before the City would reach that phase.

Council Member Dowe noted that there is more of a market today to cover high school sports; therefore, it is important to offer digital capabilities in order to attract these types of events; television revenue is important and more consideration should be given to those types of issues.

Council Member Wishneff inquired about the inside appearance of the new Exhibit Hall; whereupon, Mr. Anderson advised the floor would be constructed of sealed concrete, with walls of concrete block and drywall, the ceiling would have exposed construction similar to the Coliseum which would be painted, and there would be a ceiling constructed over the pedestrian walk area. Mr. Wishneff further stated that it appeared that the facility was being constructed primarily for exhibits and trade shows, and inquired if there was a convention component to the plan; whereupon, Mr. Anderson responded that the meeting hall area and current exhibit halls would be upgraded to include carpet and ceilings and the kinds of amenities that are routinely found in that type of accommodation. The Director of Civic Facilities explained that consideration has been given to those groups that need the Coliseum as well as exhibit areas and/or break-out spaces. She stated that one concept could include a gala session in the Coliseum or in the

Performing Arts Theatre, and a trade show could be conducted in the Exhibit Hall, with break-out space at the Civic Center and The Hotel Roanoke. Mr. Wishneff stated that he had seen numerous sound system products during the last six months that would fit the budget and consist of the latest technology. In addition, he asked the City Manager to submit concepts for additional parking alternatives.

Vice-Mayor Fitzpatrick stated that over the long term, there could be an aggravated parking situation; whereupon, the City Manager advised that there is the possibility of expanding existing parking garages, and parking is not an issue with evening activities due to the availability of parking in all of the publicly owned parking garages. She stated that the challenge is in providing adequate parking for day time events inasmuch as the majority of the City's parking garages are primarily full.

Council Member Wishneff inquired about disseminating information to the public at least six to twelve months before the new facilities are scheduled to open; whereupon, the City Manager advised that the City would be required to handle the majority of information dissemination, as opposed to the Roanoke Valley Convention and Visitors Bureau.

Council Member McDaniel inquired about the number of parking spaces that would be displaced; whereupon, Mr. Anderson stated that approximately 250 parking spaces will be eliminated. She further inquired as to how out of town patrons will be informed about shuttle parking; whereupon, the City Manager advised that information will be provided when tickets are sold; and the Director of Civic Facilities stated that Civic Center staff also works with representatives of the Virginia Department of Transportation to place information on highway signage and on the I-581 side marquee, indicating that the Civic Center parking lot is full and patrons should use the shuttle. Ms. McDaniel inquired if shuttles are a deterrent when attracting events to the Civic Center; whereupon, the Director of Civic Facilities replied that it was a plus because other cities do not provide parking. The City Manager responded that the more patrons become regular users of the facility, the more they will choose to use the shuttles, which are more convenient; the City encountered more parking challenges before the project started with major back ups on I-581 at other locations, recent parking management activities helped to eliminate problems, however, some persons continue to ignore the signs that indicate that the parking lot is full and vehicles must be redirected. With regard to Council Member Dowe's previous question, she stated that if the City decided to raise the roof of the Coliseum, another piece of the parking lot would be taken out of commission during construction.

Council Member Lea inquired as to the availability of a shuttle for persons with disabilities; whereupon, the City Manager advised that shuttle buses are handicapped equipped and disabled persons could park in the designated handicapped spaces in the garages and the surface parking lots. The Director of Civic Facilities noted that one entire line was designated for handicapped individuals.

Council Member McDaniel inquired if bookings have been confirmed for the new Exhibit Hall; whereupon, the Director of Civic Facilities stated that no bookings have been confirmed to date, marketing staff have attended trade conventions and participated in trade shows, and an interest has been expressed in the facilities when they are near completion; and larger events book as much as five years in advance or approximately 2009-2010.

Council Member Lea inquired if there are plans for increased scheduling of events by local persons and organizations; whereupon, the Director of Civic Facilities advised that gospel plays, job fairs and trade shows have been booked for approximately 20 days out of the month, most of which are local. The City Manager advised that the Civic Center has not been maintained at its highest level over the past few years which has led to a lesser number of bookings; the City has now made an investment in quality maintenance in the facility, the facility is now turning the corner and the local groups have expressed an interest in booking events; food service has been improved by combining concessions and catering and serving dinner before Broadway events; and past complaints regarding the condition of the facilities prevented the City from marketing the Civic Center; however, with the improvements, Civic Center staff is now in a better position to market the facilities.

Vice-Mayor Fitzpatrick spoke to the effectiveness of four truck unloading bays. He suggested installation of professional-looking permanent signs for shuttles that can be easily dropped down that would contain either the Civic Center's logo and/or Roanoke's branding logo; and requested installation of a permanent sign stating "Shuttle Stop" at Williamson Road that would be readily visible to the public.

Council Member McDaniel suggested that the shuttle signs be coordinated with parking garage signs; whereupon, the City Manager advised that the Traffic Engineer is reviewing all directional signs in downtown Roanoke with regard to location and content in order to make the downtown area more user friendly.

Council Member Wishneff inquired if the City had considered geothermal systems such as the system that is used at the Bristol facility; whereupon, Mr. Anderson advised that there was discussion regarding the installation of a system that would depend upon usage, relationship with the power company, and the type of rates that the City would get.

Council Member Wishneff inquired if outside naming rights would be solicited; whereupon, the Director of Civic Facilities advised that naming rights would apply to the entire complex and not just to the Exhibit Hall and a study would be conducted to determine how many people pass Civic Center signage which would be an important consideration for any person who might wish to invest in naming rights.

The City Manager advised that it would be preferable to discuss naming rights during the next phase of Civic Center improvements because once box seating and larger seating capacity can be offered, the dollar value would be more worthwhile.

Council Member Cutler inquired if environmental leak certification in terms of storm water frequency and energy conservation had been considered in the design; whereupon, Mr. Anderson responded that he could not recall any discussion to that effect. Dr. Cutler also inquired if there was gray water re-circulation; whereupon, Mr. Anderson advised that staff is looking into the issue. Council Member Cutler inquired as to how Percent for the Arts is included in the project; whereupon, Mr. Anderson advised that the Chair of the Roanoke City Arts Commission was contacted with regard to art on the Civic Center plaza; a water proofing project will eliminate some of the leaks at the current Exhibit Hall regarding the drainage system that lies in front of both buildings and should be completed during the fall season; City staff looked at replacing all pavers to provide for a more manageable system in terms of maintenance, current pavers are seven feet by seven feet in size and weigh about 1,500 pounds each, making it difficult for staff to properly remove and maintain drainage areas, new pavers directly above the drains could only be reduced to half that size in order to accommodate the weight of Civic Center equipment that will be moved across pavers, and consideration is being given to recoating pavers with a mosaic design.

The City Manager advised that a specific amount of money was established for the Percent for the Arts Program that would not necessarily tie in to a specific building; the Arts Commission prefers to go through the process of developing a master plan and then make decisions with regard to art location display; the Arts Commission may or may not recommend to Council that art be placed at a specific facility, nor would it recommend that art would be displayed at every City project, however, the capital budget is assessed one percent on certain projects to be used for art; and a mosaic for the Civic Center plaza was discussed by the Arts Commission approximately 12-18 months ago, but the Arts Commission was of the opinion to proceed in another direction.

ROANOKE RIVER CORRIDOR IMPROVEMENT PROGRAM: The City Manager referred to a previous City Council briefing on the Roanoke River Corridor Program and questions raised by Council Members with regard to obtaining easements or property adjacent to the Roanoke River. She stated that a suggestion was offered that City staff prepare a plan or plans that would place the City in a position to maintain the Roanoke River; whereupon, she called upon Gary Hegner, Parks Superintendent, for a briefing on a proposed program which is in draft format in order to receive input by Council to ensure that staff is proceeding according to the wishes of Council.

Mr. Hegner advised that:

- The Roanoke River Corridor Improvement Program is designed to improve aesthetic character, improve water flow and improve water quality of the Roanoke River and its tributaries through increased maintenance, educational, and cooperative measures.

- Proposed Program Mission

To be the environmental stewards of the Roanoke River and its tributaries, improving aesthetic quality and health through education, cooperation, easement acquisition and land donation, and implementation of best management practices.

- Examples of Successful River Management Programs Modeled

Delaware River River Keeper™ program (Pennsylvania, New Jersey, Delaware)

Red River River Keeper™ program (Fargo-Moorhead area, North Dakota)

James River Association (Mechanicsville, Virginia)

- Program Overview

Pilot program with annual update to City Manager and City Council

Oversee targeted areas within the Roanoke River, Tinker Creek and Lick Run

A Collaborative Effort is required between City Staff and Departments:

- Parks and Recreation
- Public Works (Transportation, Engineering)
- Environmental and Emergency Management
- Housing and Neighborhood Services (Code Enforcement)
- Human Resources (Municipal Volunteer Program)
- City Manager and City Council

River improvement staff would also work with the following outside entities:

- Upper Roanoke River Roundtable
- Greenways Commission
- Clean Valley Council
- Other local municipalities (Salem, Roanoke County, Montgomery County)
- Virginia Department of Environmental Quality (DEQ)

- Benefits and Outcomes

Improved waterway aesthetics
Increased community involvement
Synergistic working relationships between City departments and local environmental groups
Higher property values (The Proximate Principle)
Increased recreational opportunities

- Program Goals-Short Term

Develop excellent working relations between all involved City departments and outside entities

Document public and privately owned parcels requiring debris removal in targeted areas:

- Fallen and dead trees
- Trash
- Hazardous materials

Promote waterfront property owner education:

- Proper care of waterfront property
- Consequences of improper waterfront care
- Benefits of easement acquisition and land donation
- Work with Code Enforcement staff to target improperly maintained properties.

Council Member Cutler inquired if the program implied regional cooperation; whereupon, Mr. Hegner responded that the study started as a City-wide project, but will ultimately incorporate other neighboring jurisdictions and agencies.

Mr. Hegner explained that in recent Clean Valley Days, approximately 90 man hours of time were donated by volunteers and City staff which generated approximately \$900.00 in dumping fees; and such endeavors helped to develop cooperation with other regional entities and provided educational opportunities to improve the quality of the Roanoke River and its tributaries.

Mr. Hegner noted that none of the areas of the Roanoke River are looked at on a regular basis, and the proposed program will target certain properties; an effort has been made to remove invasive species such as paradise trees; in conjunction with Public Works staff there discussions have taken place with regard to conducting an “extreme make-over work day” for targeted areas along the Roanoke River and tributaries, which would provide immediate results from the program, as well as implementation of the private property easement acquisition

process. He called attention to marketing the program through webpage development, RVTv, local television and radio media coverage to improve overall knowledge and it is hoped that a short-term goal of erosion prevention will be established, along with the sharing of equipment and costs with other Roanoke Valley jurisdictions. He stated that certain components that would not be initially covered in the program are silt management issues, private property care where permission has been denied, and flood reduction. In addition, he noted that \$40,000.00 in funds was identified through MPDS funding.

The City Manager stated that the first step was to begin educating abutting private property owners regarding their responsibilities; it has been found that once property owners understand their responsibilities, they are quick to assume responsibility; there is a need to educate private property owners with regard to opportunities to provide easements to the City which would allow the City to assume certain responsibilities on their behalf; there will be a need to increase staff in order to assume any kind of maintenance program on a regular basis; two or three times a year, City forces and civic volunteers could be combined to conduct an "extreme make-over" that the City is not presently staffed or equipped to address; City staff could take the next nine months to begin laying out a detailed work plan and budget for fiscal year 2007 that would provide for regular and on-going maintenance; and there is a potential to install inexpensive netting as a fence across areas of the Roanoke River to prevent refuse from going into river. She asked for input by Council with regard to the proposed approach.

Council Member Cutler expressed appreciation to the City Manager and City staff for responding to the Council's request for this kind of initiative along the Roanoke River and advised that this is the first time that the City has looked at the Roanoke River with a determination to do something. He referred to the Appalachian Trail Conference that has organized volunteer trail clubs and the Carvins Cove Trail Greenway Program that has attracted the attention of several hundred volunteers, which could also be done along Roanoke River; local jurisdictions have done a good job for the "up land" by adopting greenways as linear parks, or official parks of the park system, and it is now time to address the waterways. He stated that one of the fallacies that the City has operated under for some time is that the U. S. Army Corps of Engineers Flood Reduction Project will be a kind of panacea for the Roanoke River, however, issues of funding and the timetable are questionable, and the purpose is narrow in terms of installing bench cuts that will spread out the water and reduce flooding by a relatively small amount. He added that this is a great beginning and it is hoped that the City will continue to look at the River Keeper trade mark program; and he would support an organization or an individual who would be charged with the responsibility of receiving calls for public or private entities when there is a problem on the Roanoke River.

Mr. Hegner called attention to opportunities for grant funding to assist with the program.

Council Member Wishneff inquired if there was a role for the Sheriff's Department to play with regarding the Roanoke River cleanup project; whereupon, Mr. Hegner replied that the Sheriff has expressed a reluctance to send inmate crews along the banks or into the water of the Roanoke River.

The City Manager noted that the City is hard pressed today to respond to some of the challenges regarding the Roanoke River, no equipment has been purchased for that purpose, therefore, the City must move into the program in a systematic way; and with Council's support, the City is prepared to move into the education component of the program to help property owners to understand their individual roles and responsibilities, and to provide enforcement under existing code regulations. She advised that the City could enforce what is occurring on the back side of private property just as much as on the front side, the City could work toward river "make-overs" two or three times a year, but to provide regular clean up of the entire length of the Roanoke River would require equipment and staff that could be brought to the Council for approval during a normal budget cycle.

Council Member Wishneff concurred in and supported the efforts of City staff.

Vice-Mayor Fitzpatrick encouraged each Member of Council to drive down Wiley Drive from the east end of Wasena Park through the area that includes Rivers Edge Sports Complex to witness a prime example of an area that the City has not properly maintained where weeds and paradise trees could be cut down tomorrow with City equipment; the area behind the old Marstellar building looks unsightly and although the City cannot address the issue at this time, someone should be held responsible for any dumping that has occurred to date. He inquired about potential options that might be available to the City at this time.

Steven C. Buschor, Director, Department of Parks and Recreation, expressed appreciation to other City departments for their assistance in preparing the draft program. He advised that numerous individuals and organizations are ready to volunteer, but the City needs to designate someone to lead the charge; entities such as "Life Net" have adopted a section of the Roanoke River; and credit should be given to those partners in and outside of the City for their efforts to reach this point.

Mr. Hegner advised that the Kiwanis Club will sponsor an event to clean up the Roanoke River on July 2, 2005, from 9:00 a.m. to 12:00 noon.

Vice-Mayor Fitzpatrick advised that bench cuts would allow the City to maintain parts of the Roanoke River easier than steep banks; opportunities exist to create a different kind of partnership, and he requested that the City Manager move post haste on the Roanoke River Management Program.

At 5:50 p.m., the Council convened in Closed Session in the Council's Conference Room.

At 6:55 p.m., the Council meeting reconvened in the City Council Chamber, with all Members of the Council in attendance except for Mayor Harris, Vice-Mayor Fitzpatrick presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Council Member Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Cutler, Dowe and Vice-Mayor Fitzpatrick-----4.
NAYS: None-----0.

(Mayor Harris was absent.) (Council Members Lea and Wishneff were not present when the vote was recorded.)

At 7:00 p.m., on Monday, June 20, 2005, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Vice-Mayor Beverly T. Fitzpatrick, Jr., presiding.

PRESENT: Council Members Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr. and Vice-Mayor Beverly T. Fitzpatrick, Jr.-----6.
ABSENT: Mayor C. Nelson Harris-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney, Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Vice-Mayor Fitzpatrick.

The Pledge of Allegiance to the Flag of the United States of America was led by Vice-Mayor Fitzpatrick.

PUBLIC HEARINGS:

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 20, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of East Gate Church of the Nazarene to permanently vacate, discontinue and close a portion of 21st Street, N. E., the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, June 3, 2005 and Friday, June 10, 2005.

The City Planning Commission submitted a written report advising that the petitioner currently has a site plan under review to construct a parking lot on Official Tax No. 3340306; the parking lot will serve the Church, which is at the southern end of the same block; the petitioner recently had a survey done of Official Tax No. 3340306, which revealed that the right-of-way is ten feet wider than was originally shown on both the previous survey and City Tax Maps; and, in addition, both private and City staff surveys revealed that a portion of the northwest corner of the petitioner's property is in the pavement of 21st Street and Kessler Road.

It was further advised that the petitioner has agreed to dedicate an approximately 598 square foot portion of Official Tax No. 3340306 to the City of Roanoke as a condition of the vacation; the dedicated land will become part of the right-of-way, moving the petitioner's property line off of the pavement, and potentially improving the line of sight at the intersection of 21st Street and Kessler Road, N. E.; vacation will allow the petitioner to build a slightly larger parking lot; development review staff has worked with the petitioner to address storm water management on the site; the property acquired in the vacation will not add a significant number of parking spaces for the petitioner, but may allow greater flexibility in design; and if the vacation is approved, the petitioner will be required to submit a revised site plan for the parking lot after a combination plat has been recorded.

The City Planning Commission recommended that Council approve the request for closure, subject to certain conditions as more fully set forth in the report.

Council Member Cutler offered the following ordinance:

(#37101-062005) AN ORDINANCE permanently vacating, discontinuing and closing a certain public right-of- way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 450.)

Council Member Cutler moved the adoption of Ordinance No. 37101-062005. The motion was seconded by Council Member McDaniel.

James W. Conner, Head Trustee, East Gate Church of the Nazarene, appeared before Council in support of the request.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the request to close a portion of the street. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37101-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 20, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Warehouse 315 LLC to rezone property located at 315 Albemarle Avenue, S. E., Official Tax Nos. 4022101 and 4022104, from HM, Heavy Manufacturing District, to C-3, Central Business District, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, June 3, 2005 and Friday, June 10, 2005.

The City Planning Commission submitted a written report advising that the property is commonly known as the former Heironimus warehouse; no specific use is proposed in the petition to rezone; City real estate records list the properties as having two structures totaling 59,147 square feet; the original building, listed as having been built in 1930, is brick with masonry detailing which is typical of Roanoke's historic industrial architecture; and several concrete block and wood frame structures have been added to the original building.

The Planning Commission recommended that Council approve the request for rezoning, and advised that the proposed rezoning will permit adaptive reuse of an underused property, which is consistent with and promotes the policies of *Vision 2007-2020* and the *Redevelopment Plan for the South Jefferson Redevelopment Area*.

Council Member Cutler offered the following ordinance:

(#37102-062005) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 402 of the Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 453.)

Council Member Dowe moved the adoption of Ordinance No. 37102-062005. The motion was seconded by Council Member Cutler.

Donald L. Wetherington, Attorney, representing the petitioner, appeared before Council in support of the request of his client.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the request for rezoning. There being none, he declared the public hearing closed.

Council Member Wishneff commended the petitioner for initiating the project and inquired if it would be beneficial for the City of Roanoke to consider some type of historic district which would then open up certain financial avenues for the area.

Mr. Wethington advised that the National Register of Historic Places Evaluation Committee has recognized the property and the building qualifies for rehabilitation tax credits.

The City Manager advised that the property in question, as well as the property owned by Norfolk Southern which will be used by FreightCar America, were included and approved in an amendment to the City's Enterprise Zone.

Mr. Wetherington advised that if there are incentives and encouragements that the City could offer it would be welcomed not only for the benefit of the current project, but for any other projects that may occur in the area.

There being no further discussion, Ordinance No. 37102-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

COMMUNITY PLANNING-ROANOKE VISION, COMPREHENSIVE DEVELOPMENT PLAN: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 20, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke to amend Vision 2001-2020, the City's Comprehensive Plan, to include the Hollins/Wildwood Area Plan, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, June 3, 2005 and Friday, June 10, 2005.

The City Planning Commission submitted a written report advising that the area included in the Neighborhood Plan encompasses five neighborhoods in the northeast section of the City: East Gate, Hollins, Mecca Gardens, Monterey and Wildwood; and the Plan features the following priority recommendations:

- **Infrastructure:** Create capital improvement projects for the following:

Sewer connections: Coordinate with residents and the Western Virginia Water Authority to install service for properties that currently have septic systems. City funds should supplement or cover the residents' portion of the cost. This is the top priority of the Plan.

Curb, gutter, and sidewalk installation: Address improvements based on the Infrastructure Improvements map with the following considerations:

- Install curb, gutter and sidewalk on arterial streets and infill of blocks with incomplete networks.
- New subdivisions - all new developments will have curb and gutter and sidewalk. In select residential areas, install curb and gutter depending on existing drainage conditions.
- Focus improvements in areas that have been identified as having storm water problems.
- **Transportation:** Address the Orange Avenue corridor and all adjoining arterial streets collectively, and base future improvements accordingly. Consider widening Orange Avenue to six lanes only as a last resort.
- **Code Enforcement:** Increase canvassing in the area, particularly in the Hollins neighborhood.
- **Residential Development:** Encourage new development per the Future Land Use map and in select areas, consider rezoning for residential development rather than commercial or industrial.

The City Planning Commission recommended approval of the Hollins/Wildwood Area Plan for adoption as a component of Vision 2001-2020.

Council Member Cutler offered the following ordinance:

(#37103-062005) AN ORDINANCE approving the Hollins/Wildwood Neighborhood Plan, and amending Vision 2001-2020, the City's Comprehensive Plan, to include the Hollins/Wildwood Neighborhood Plan; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 69, Page 454.)

Council Member Cutler moved the adoption of Ordinance No. 37103-062005. The motion was seconded by Council Member McDaniel.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the proposed Neighborhood Plan.

Philip T. McDermott, President, Wildwood Civic League, appeared before Council in support of the Plan.

There being no further speakers, the Vice-Mayor declared the public hearing closed.

Council Member Cutler advised that the Neighborhood Plan referred to the role of the Western Virginia Water Authority in water and sewer connections, and identified sewer lines as the most important infrastructure need; the Plan also notes that the Water Authority is unlikely to be able to fully fund such projects as providing public sewer lines to the neighborhoods and suggests that capital improvement projects to extend sewer service would be a good investment by the City. He inquired as to how the statement fits in with the City's capital improvements budget.

The City Manager questioned whether the statement should be included in the Neighborhood Plan inasmuch as it could be precedent setting. She stated that pursuant to present City policy, any failed septic system is required to connect to a public sewer; the Western Virginia Water Authority accepted the City's policy to extend a public sewer line to a property when the septic system fails and to share in the cost of system upgrade with the property owner; and, in the future, if other property owners in the area that have an active sewer system wish to participate in the public sewer system, the cost could be prorated. She stated that to suggest, as the Neighborhood Plan indicates, that the City should be responsible for the resident's portion of the cost is unacceptable; more recent policies as adopted by City Council and subsequently adopted by the Western Virginia Water Authority are reasonable policies; and there is no requirement for those persons who are currently on septic systems to hook up to the public sewer system until their septic system has failed and the Health Department refuses to issue a permit. With regard to future development, she advised that a different policy could be reviewed that would be economic development related.

Following discussion, the City Manager asked that staff be permitted to suggest appropriate language to amend the Neighborhood Plan to reflect that there are no plans by the City in the Capital Improvement Program to extend sewer lines inasmuch as extension of water and sewer lines is the responsibility of the Western Virginia Water Authority to be shared by the Water Authority, the developer and/or the property owner.

Council Member Cutler inquired if there is any parallel between street and drainage improvements for the Southern Hills area; whereupon, the City Manager advised that using the City's previously adopted policies for water and sewer extensions would fall in line with what is proposed in the Southern Hills area.

Upon question, the City Manager explained that if a neighborhood petitioned the Western Virginia Water Authority for a sewer extension before the sewer system failed, the neighborhood could participate on a cost sharing basis, with 50 per cent of the cost to be borne by the Water Authority and the other 50 per cent to be assessed on a prorated basis to individual lots along the sewer line extension.

Council Member Cutler complimented staff on the Quality of Life section of the Plan, particularly with respect to Read Mountain by acknowledging the role of the Western Virginia Land Trust as a way to obtain conservation easements to protect the views and the undeveloped nature of Read Mountain; the City of Roanoke has a vested interest in the view shed and environmental preservation of Read Mountain; the proposed Plan affirms the City's support of the goals of the Read Mountain Alliance and future funding should be considered to assist the Read Mountain Alliance and the Western Virginia Land Trust in obtaining conservation easements on properties on and around Read Mountain. He pointed out that in most cases conservation easements are donated because of tax benefits that accrue to those individuals who donate easements; therefore, not a large amount of funding assistance would be required by the City, but certain educational programs should be offered to advise private landowners of the benefits of donating conservation easements.

Mr. McDermott advised that when the Wildwood area was annexed to the City of Roanoke in 1976, property owners were promised water and sewer line extensions and installation of sidewalks; water lines have been installed, but extension of sewer lines and installation of sidewalks have not occurred, and approximately two houses that have questionable, if not failed septic systems, currently exist in the Hollins/Wildwood area. He stated that the majority of the membership of the Wildwood Civic League would be willing to pay their share of the cost for sewer line extension from the house to the street, but find it unacceptable to pay \$6,000.00 - \$8,000.00 which was previously proposed by the Western Virginia Water Authority.

Following further discussion, by consensus, Council authorized the City Manager to revise the Hollins/Wildwood Area Plan with regard to extension of sewer lines to ensure continuity with existing City policy.

There being no further discussion by Council, Ordinance No. 37103-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

The City Manager called attention to a number of neighborhoods that were annexed into the City of Roanoke in the 1970's that are in a similar situation with regard to private septic systems and the issue will be reviewed on a City-wide basis in order to reach a consistent approach.

BONDS/BOND ISSUES-CAPITAL IMPROVEMENTS PROGRAM: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 20, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke to adopt a resolution authorizing the City to contract a debt and to issue general obligation public improvement bonds to the City, in the principal amount of \$12,875,000.00, for the purpose of providing funds to pay the cost of the following capital improvement projects: Art Museum Project - \$3,700,000.00, Public Parking Facilities - \$2,600,000.00, Financial Information System Project - \$2,600,000.00 and Acquisition of Land for Redevelopment - \$3,975,000.00, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, June 6, 2005 and Monday, June 13, 2005.

The Director of Finance submitted a written report advising that several projects included in the Capital Improvement Plan (CIP) require financing during Fiscal Year 2005-2006; on May 10, 2005, Council adopted a resolution endorsing an update to the CIP for Fiscal Years 2006-2010 that was included in the Recommended Resource Allocation Plan; and the update included the need for short term financing of \$2.6 million for replacement of financial systems including accounting, tax/treasury, budget preparation, and human resource/payroll; and although funding sources have been identified to pay for the systems over approximately five years, short term financing will be required to provide adequate cash flow as major systems are purchased.

It was further advised that on May 2, 2005, Council authorized execution of an option agreement for the purchase of Countryside Golf Course at a cost of \$4.1 million; an option fee of \$125,000.00 was paid, thus the remainder of funding for acquisition of the property will come from the issuance of bonds; two other projects included in the CIP for which issuance of bonds has not previously been authorized are the City's contribution to the Art Museum of \$3.7 million and a parking garage in the western part of downtown Roanoke that requires an additional \$2.6 million financing; and total financing required for the projects are:

Art Museum	\$ 3,700,000.00
Downtown West Parking Garage	\$ 2,600,000.00
Financial Application Integration	\$ 2,600,000.00
Countryside Golf Course	\$ 3,975,000.00
Total	<u>\$12,875,000.00</u>

The Director of Finance recommended that Council adopt a resolution authorizing issuance of \$12,875,000.00 in General Obligation Bonds under the Virginia Public Finance Act.

Council Member Cutler offered the following resolution:

(#37104-062005) A RESOLUTION authorizing the issuance of \$12,875,000.00 principal amount of general obligations of the City of Roanoke, Virginia, in the form of General Obligation Public Improvement Bonds of such City, for the purpose of providing funds to pay the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various capital improvement projects (including the acquisition of land therefor) and the acquisition and installation of various capital equipment projects of and for such city; fixing the form, denomination and certain other details of such bonds; providing for the sale of such bonds; authorizing the preparation of a preliminary official statement relating to such bonds and the distribution thereof and the execution of a certificate relating to such official statement; authorizing the execution and delivery of a continuing disclosure certificate relating to such bonds; authorizing and providing for the issuance and sale of up to the principal amount of General Obligation Public Improvement Bond anticipation notes in anticipation of the issuance and sale of such bonds; delegating to the City Manager and the Director of Finance certain powers with respect to the sale and determination of the details of such bonds and notes; and otherwise providing with respect to the issuance, sale and delivery of such bonds and notes.

(For full text of resolution, see Resolution Book No. 69, Page 456.)

Council Member Cutler moved the adoption of Resolution No. 37104-062005. The motion was seconded by Council Member McDaniel.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the public hearing.

Ms. Sarah Higgins, 2267 Countryside Road, N. W., representing the Countryside Neighborhood Organization Steering Committee, advised that many residents of the area built their homes on the golf course out of a personal preference to live in an area with mountain views and green space and they believe that Countryside should continue to be used as a golf course. She spoke directly to three issues: the tourist value, the recreation value, and the fact that the location is directly in the path of air traffic. She stated that the City of Roanoke values its viewsheds and Countryside Golf Course provides outstanding views of the mountains, it is a kind of private park that is available to the public, and it is one of the few reasonably priced golf courses in the City and offers considerable tourist and recreation value. Because of the aesthetic condition of the golf course, she stated that it provides a pleasant introduction to the City of Roanoke from either I-81 or I-581; golf is becoming a popular recreation sport and it has been reported that if Countryside Golf Course closes many people will leave the area. She stated that to construct more houses in the area in view of the present air traffic pattern to Roanoke Regional Airport would be a mistake; whereupon, she presented information from the Virginia Department of Aviation recommending that residential housing not be constructed in neighborhoods that are located in the path of airplanes.

Vice-Mayor Fitzpatrick advised that one of the reasons that the City of Roanoke chose to involve itself in the matter is due to the fact that portion of the lease for the golf course which is owned by the Roanoke Regional Airport will not be renewed, and at this time the City does not have specific plans regarding a proposed use of the land.

Upon question, the City Manager called upon R. Brian Townsend, Director, Department of Housing and Code Enforcement, to provide a summary of the process that will be followed by the City.

Mr. Townsend advised that environmental assessment of the property started last week; a boundary survey will be initiated in the near future; since the announcement was made of the City's option on the property, the City has received numerous inquiries; it is proposed to follow a two step process, one of which will invite developers to provide qualifications and interest in the property; City staff will then short list those who have submitted the best qualifications; developers will be asked to submit a proposal similar to the process that was followed with the Colonial Green project in which the developer made a proposal to the City, and City staff reviewed the proposal and how it fits into the context of the site. He stated that even though the Airport Commission does not plan to renew the lease on the fly zone of the golf course, the space will have to remain open by necessity; venues will be provided to keep the neighborhood informed of activity; and a neighborhood briefing is tentatively scheduled for the month of July, 2005.

The City Manager advised that it would be intended for the property to go through a rezoning process for a planned unit development of some description that would involve public hearings at both the City Planning Commission and the City Council levels; and while the City would look toward closing on the property before the end of the calendar year, it would be the recommendation of staff to make some arrangement for the ongoing operation of the golf course while planning efforts continue. She stated that much like the Colonial Green project, if the City reaches the point of transferring the property and certain leases are in effect, the new property owner would have to accept conditions under the leases so that owners of adjacent property would continue to know that the property will be well maintained and operated in such a way that the golf course would continue until such time as development were to actually occur.

Council Member Wishneff advised that the City's intent is to increase property values and inquired if Council Members as a group could visit the site in the July/August time frame to meet with residents in order to hear their concerns.

Council Member Cutler advised that as a member of the Roanoke Valley Bird Club, it has been brought to his attention that Countryside Golf Course is an important habitat for an internationally protected species, the Bluebird, and called attention to the importance of protecting the integrity of the Bluebird habitat. He stated that ecological and environmental concerns will be reflected in the ultimate plan which will help to make property values increase.

Council Member Cutler stated that Roanoke's international reputation, originally based on its railroad heritage, will be enhanced and enlarged by construction of the proposed new Art Museum of Western Virginia; much of the construction costs of the Art Museum will be provided by private donors, private individuals, and private foundations; therefore, the facility will be a bargain for Roanoke's taxpayers. He stated that the new Art Museum will provide a major contribution to the economy of the Roanoke Valley; therefore, he spoke in strong support of the City's participation in funding of construction of the new Art Museum of Western Virginia.

Council Member Lea advised that Council is committed to engaging the community in every step of the process relating to Countryside Golf Course.

There being no further speakers, the Mayor declared the public hearing closed.

There being no further questions or comments by Council Members, Resolution No. 37104-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

RENTAL INSPECTION PROGRAM: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 20, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke to amend the City Code to establish Rental Inspection Districts in order to comply with State Code regulations, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, June 6, 2005 and Monday, June 13, 2005.

The City Manager submitted a communication advising that in 1994, enabling legislation was adopted which allowed localities to require residential rental units in Rehabilitation Area and Conservation Districts to be inspected before a change in occupancy, or after the sale of such unit; on September 2, 1997, following an intensive examination of the issues led by the Roanoke Regional Housing Network Rental Inspection Committee ("Rental Inspection Committee"), which consisted of neighborhood citizens, landlords, non-profits, realtors and others, Council adopted Ordinance No. 33552, which enacted the City's Rental Inspection Program; and the Rental Inspection Program is intended to protect the public health, safety and welfare by ensuring proper building maintenance and compliance with building regulations applicable to residential rental dwelling units.

It was further advised that in 2004, the Legislature amended enabling legislation to mandate changes to local ordinances for localities enforcing a Rental Inspection Program; an article written by Mark K. Flynn, Director of Legal Services, Virginia Municipal League, provides a good description of changes in enabling legislation, as well as a good overview of the history of rental inspection programs in the Commonwealth of Virginia; as a result of amendments to enabling legislation, the Rental Inspection Committee was reconvened to review and endorse an amended Rental Inspection Program ordinance that complies with changes in state law; and amendments to the Code of Virginia mandate a number of changes to the City Code, i.e.:

- A rental inspection program may be conducted only in a rental inspection district for which City Council has made the following findings:
- there is a need to protect the public health, safety and welfare of the occupants of residential rental dwelling units within the designated rental inspection district;
- the residential rental dwelling units within the designated district are blighted or in the process of deteriorating, or the residential rental dwelling units are in need of inspection by the building department to prevent deterioration, taking into account the number, age and condition of the residential dwelling rental units inside the proposed rental inspection district; and
- the inspection of residential rental dwelling units inside the proposed rental inspection district is necessary to maintain safe, decent and sanitary living conditions for tenants and other residents living in the proposed rental inspection district.
- Upon inspection of a residential rental dwelling unit, if there are no violations of the building code that affect the safe, decent and sanitary conditions for the tenants of such rental unit, the rental unit is exempt from rental inspection for a minimum of four (4) years.
- Upon adoption of a rental inspection ordinance, the building department is required to make reasonable efforts to notify owners of residential rental dwelling units in the designated rental inspection district and provide information and an explanation of the rental inspection ordinance and the responsibilities of the owner under the ordinance.
- The City is authorized to require all owners of residential rental dwelling units in a rental inspection district to notify the building department if the dwelling unit is used for residential rental purposes, but no fee may be charged for such registration.

It was explained that boundaries of rental inspection districts are based upon research data compiled by the U. S. Census Bureau, the City of Roanoke GIS System, and the City of Roanoke Code Enforcement database; and Housing and Neighborhood Services remains committed to the Rental Inspection Program to reduce unsafe conditions in residential rental property and to encourage preventative maintenance to preserve good, quality rental housing.

The City Manager recommended that Council make the findings required by the Code of Virginia and approve amendments to the City of Roanoke Rental Inspection Program, effective July 1, 2005.

Council Member Dowe offered the following ordinance:

(#37105-062005) AN ORDINANCE amending and reordaining §7-34, Purpose and intent, by amending subsections (a) and (b), and adding subsections (c) and (d); §7-35, Definitions; §7-36, Applicability, by amending subsection (a), and adding subsection (b); §7-37, Inspection and certificate of compliance required; §7-38, Exemptions; §7-39, Certificate of exemption, by amending subsections (a), (b), (c), and (d), and adding subsections (e) and (f); §7-40, Issuance of certificate of compliance; §7-41, Temporary waiver of compliance; §7-42, Display of proof of compliance, by amending subsections (a) and (b); §7-43, Alteration of proof of compliance; §7-44, Fees; and §7-45, Appeals, by amending subsection (b); of Article III, Rental Certificate of Compliance, of Chapter 7, Building Regulations, Code of the City of Roanoke (1979), as amended, in order to comply with state code regulations; providing for an effective date; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 469.)

Council Member Dowe moved the adoption of Ordinance No. 37105-062005. The motion was seconded by Council Member Lea.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the matter.

Paula Prince, 550 Mountain Avenue, S. W., a resident of Old Southwest, spoke in support of amendments to the Rental Inspection Program. She stated that Old Southwest has a significant number of rental properties, many of which house low or moderate income tenants; prior to adoption of the Rental inspection Program, it was exceedingly difficult to maintain minimum building code standards for many of the properties; problems with rental properties include tenants living in units without adequate plumbing, or electrical systems, with no kitchens or bathroom facilities, apartments with no smoke detectors, apartments with inadequate heating, and apartments with structural damage at a level that is potentially dangerous. She added that support for a Rental Inspection Program was fairly weak until there was an horrendous fire which caused the death of a grandmother and four children; the fire started because there was no fire wall separating the apartments; and at that point, discussions were initiated to create a Rental Inspection Program and a considerable amount of work and compromise

went into drafting the Rental Inspection Program that has been in existence for the past several years. She stated that the Rental Inspection Program currently before the Council is adequate to maintain the level of improvement that has been experienced since the program was implemented; and in order to provide quality housing for renters at all income levels, it is imperative to enforce a Rental Inspection Program. She advised that quality rental properties improve the quality of life in all neighborhoods and encourage those who are interested in purchasing property to have faith that their investment will be safe.

David Bidler, 1515 Brandon Avenue, S. W., a member of the Roanoke Regional Housing Network's Rental Inspection Committee, advised that the Housing Network has, over the past several years, reviewed various changes to the City's Rental Inspection Program; and proposed changes are mandated by the General Assembly and must be implemented by July 1, 2005, so as not to lose the inspection program. He stated that the Rental Inspection Committee of the Regional Housing Network supports proposed amendments to the Rental Inspection Program which causes the program to be more efficient and preserves the ability of the building inspector to enter the property and inspect rental property that otherwise may not be inspected until a tenant files a complaint.

E. Duane Howard, 1135 Wasena Avenue, S. W., advised that he has on several occasions encouraged the City to include issues regarding inspection of rental properties on the City's legislative agenda for consideration by the General Assembly. He stated that his primary concern with the City's Rental Inspection Program relates to enforcement issues by the City's Code Enforcement staff. He added that if renters complain when unsafe conditions or building code violations occur, they are evicted which happened to him after paying more than \$50,000.00 in rent over a period of eight years because City Building Code Inspectors do not administer the program fairly among all landlords. He stated that the Rental Inspection Program should include all rental properties in the City; and he currently rents a property that is 70 years old, but the property does not fall under the rental inspection district. He alluded to rental properties that are not fit for human habitation that do not fall under the Rental Inspection Program; and roofs that are allowed to remain in their present deteriorated condition by City Building Code Inspectors who take no action against certain wealthy landlords.

Council Member Lea advised that Mr. Howard made certain strong statements about the City's Rental Inspection Program and inspection efforts; whereupon, he requested information on the role of the City's Building Code Inspectors, etc.

The City Manager advised that Mr. Howard has not made the kind of statements to her as City Manager that were previously made before the Council and she would like the opportunity to meet with him to discuss his concerns. She stated that at his previous residence, Mr. Howard made complaints against his landlord, and he left certain information with the City Manager's Office which was forwarded to Code Enforcement staff for investigation. She advised that some of the changes that Mr. Howard has proposed in the Rental Inspection Program are beyond the ability of the City to change because they involve requirements

enacted by State Code. She stated that an amendment to the State Code has limited the City in some respects relative to how and when the City may perform rental inspections, if the City had the authority to perform rental inspections on a City-wide basis, she would make a recommendation to the Council to do so because the City has a significant number of rental properties and it would be to the City's best interest to ensure that all rental properties are maintained to a certain standard. She stated that the City has a dedicated code enforcement staff, they frequently respond strictly on a complaint basis because of the size of the community and the amount of property that is included in the rental category, and she would report back to the Council after she has met with Mr. Howard and investigated his concerns.

There being no further questions or comments by Council Members, Ordinance No. 37105-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

PURCHASE/SALE OF PROPERTY-AIRPORT-CITY PROPERTY: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 20, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal to convey City-owned property located at 5268 Aviation Drive, N. W., to the Roanoke Regional Airport Commission, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, June 10, 2005.

The City Manager submitted a communication advising that the City owns property located at 5268 Aviation Drive that houses Fire Station No. 10, containing approximately 2.67 acres; the City desires to convey the property to the Roanoke Regional Airport Commission for the consideration of \$771,663.00, upon certain terms and conditions, including the right of the City to continue to use the fire station for up to five years; and, in accordance with the City's Economic and Community Development Reserve Policy, proceeds from the sale of the land will be used for the purchase of land for fire stations.

It was further advised that the City will retain use of Fire Station No. 10 for up to five years, pay 50 per cent of operating costs (including utilities, phone service, service contracts, building supplies, and other such costs), and continue to provide minor maintenance and cleaning services; the City will also pay 50 per cent of normal maintenance and repair costs that are less than \$5,000.00 per item, and station personnel will maintain the grounds.

The City Manager recommended that she be authorized to execute the following documents, subject to approval by the City Attorney:

- A deed conveying the property with special warranty of title to the Roanoke Regional Airport Commission, subject to certain terms and conditions. A letter dated May 27, 2005, from Jacqueline L. Shuck, Executive Director, Roanoke Regional Airport, agreeing to certain terms and conditions for continued operation of the Station.

An amendment to paragraphs five and 21 (b) of the 1987 contract with the Roanoke Regional Airport Commission, in order to make the contract consistent with the terms of the Executive Director's letter dated May 27, 2005.

- Adoption of an ordinance to establish a revenue estimate for the sale of property in the amount of \$771,663.00 in the Capital Projects Fund. The budget ordinance will appropriate funds to accounts to be established by the Director of Finance entitled, Fire/EMS Station 3 (\$485,862.00) and Fire/EMS Station 5 (\$285,801.00).

Council Member Dowe offered the following ordinance:

(#37106-062005) AN ORDINANCE authorizing the City Manager to execute the necessary documents to convey City-owned property, which houses Fire Station #10 located at 5268 Aviation Drive, bearing Tax No. 6560101, containing approximately 2.67 acres, to the Roanoke Regional Airport Commission; authorizing the City Manager to execute a letter dated May 27, 2005, agreeing to certain terms and conditions for the continued operation of the Station; and authorizing the City Manager to execute an amendment to the 1987 contract with the Roanoke Regional Airport Commission, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 485.)

Council Member Dowe moved the adoption of Ordinance No. 37106-062005. The motion was seconded by Council Member Lea.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the matter. There being none, he declared the public hearing closed.

Council Member Cutler requested the City Manager to review the City's plans to replace fire service in that portion of the City that is currently serviced by Fire Station No. 10; whereupon, the City Manager advised that Fire Station No. 10 is physically located on property immediately adjacent to the Roanoke Regional Airport and currently serves both the Airport and residents who reside in that section of the City; the Airport is interested in developing its own stand alone fire

station facility, and to that end has offered to purchase the land from the City of Roanoke; the City intends to use the proceeds from sale of the land to purchase an alternate location; earlier in the meeting, Council acted on a recommendation to purchase a parcel of land on Williamson Road, several blocks to the south of the Hershberger/Williamson Road intersection; the Airport Commission will allow the City to continue to occupy the present facility for up to five years by prorating the share of participation of the cost of maintaining and operating the facility; and it would be the City's intent over the next same five years to construct a new facility on Williamson Road which would be designed with funds also derived from the sale of the property in question. She stated that it is hoped to have a new fire station constructed in advance of the five year time frame; it was always a part of the Fire/EMS Master Plan to eventually relocate the fire station away from the Airport and decisions by the Airport Commission have accelerated the planning process.

There being no further questions or comments by Council Members, Ordinance No. 37106-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

Council Member Cutler offered the following budget ordinance:

(#37107-062005) AN ORDINANCE to establish a revenue estimate from the sale of property on Aviation Drive and to appropriate funding for the new construction of the Fire-EMS Stations #3 and #5, amending and reordaining certain sections of the 2004-2005 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 487.)

Council Member Cutler moved the adoption of Ordinance No. 37107-062005. The motion was seconded by Council Member McDaniel and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

PURCHASE/SALE OF PROPERTY-RED CROSS-CITY PROPERTY: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 20, 2005, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal to convey certain City-owned property located on Luck Avenue, S. W., to the American National Red Cross, in exchange for certain property owned by the Red Cross, in connection with the Downtown Parking Garage Project, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, June 10, 2005.

The City Manager submitted a communication advising that the City owns property located on Luck Avenue, S. W., which is currently used for employee parking, and desires to convey a portion of the parcel of land to the American National Red Cross in exchange for three parcels of land located at the corner of Fifth Street and Luck Avenue, S. W., identified as Official Tax Nos. 1113512, 1113513 and 1113514 to be used for future development of a downtown parking garage; to facilitate conveyance of an approximately 0.2661 acre portion of Official Tax No. 1012407, the parcel of land has been subdivided into two parcels designated as Tract B-1 and Tract B-2 as shown on a plat prepared by Caldwell White Associates; and the City desires to convey Tract B-1 and a 24 foot access easement across Tract B-2 to serve Tract B-1 to the American National Red Cross.

Following the public hearing, the City Manager recommended that she be authorized to execute a deed of exchange to convey the property designated as Tract B-1, in addition to a 24 foot access easement across Tract B-2, to the American National Red Cross, in exchange for three parcels of land identified as Official Tax Nos. 1113512, 1113513 and 1113514, subject to approval as to form by the City Attorney.

Council Member McDaniel offered the following ordinance:

(#37108-062005) AN ORDINANCE authorizing the City Manager to execute the necessary documents providing for the conveyance of a 0.2661 acre parcel of City-owned property known as Tract B-1, bearing Official Tax No. 1012407, together with a 24 foot access easement across City-owned property known as Tract B-2, to the American National Red Cross, in exchange for three parcels bearing Official Tax Nos. 1113512, 1113513, and 1113514, located at the corner of Fifth Street and Luck Avenue, S. W., for future development of a downtown parking garage, upon certain terms and conditions; and dispensing with the second reading of this ordinance.

(For full text of ordinance, see Ordinance Book No. 69, Page 488.)

Council Member McDaniel moved the adoption of Ordinance No. 37108-062005. The motion was seconded by Council Member Cutler.

The Vice-Mayor inquired if there were persons present who would like to speak in connection with the matter. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 37108-062005 was adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Vice-Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

ARMORY/STADIUM: Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke in support of the renovation of Victory Stadium. He advised that if the City of Roanoke plans to spend \$136,000.00 on improvements to Victory Stadium to prepare the facility for high school football in the fall, the City could allocate several thousand dollars more to renovate restrooms and locker rooms. He stated that Victory Stadium could be made accessible for the physically disabled with the paving of one lane of the parking lot in order to accommodate wheel chairs; the second floor of the Stadium could be used for emergency medical services and a museum honoring sports figures; and just as the City has begun construction of a flood wall at the Sewage Treatment Plant, some type of flood control measures could be taken at Victory Stadium. He advised that the 4th of July celebration should continue to be held at Victory Stadium and the Stadium should be renovated and promoted as a memorial to the Roanoke Valley's World War II veterans.

AIRPORT-ZONING-HOUSING/AUTHORITY-ARCHITECTURAL REVIEW BOARD-COMMUNITY PLANNING-INDUSTRIES: Council Member Cutler moved that Council amend its current policy to provide that the City Clerk will advertise for applications for vacancies on the City Planning Commission, Board of Zoning Appeals, Architectural Review Board, Industrial Development Authority, Roanoke Regional Airport Commission and the Roanoke Redevelopment and Housing Authority, unless otherwise directed by the Council. The motion was seconded by Council Member Dowe and adopted by the following vote:

AYES: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

NAYS: None-----0.

(Mayor Harris was absent.)

COMMITTEES-ROANOKE ARTS COMMISSION: The Vice-Mayor advised that the three-year terms of office of Betty Branch, Frank J. Eastburn, Susan W. Jennings, Nelett H. Lor, and Anna Wentworth as members of the Roanoke Arts Commission will expire June 30, 2005; whereupon, he opened the floor for nominations to fill the vacancies.

Council Member Cutler placed in nomination the names of Frank J. Eastburn, Susan W. Jennings and Nelett H. Lor.

There being no further nominations, Mr. Eastburn, Ms. Jennings and Ms. Lor were reappointed as members of the Roanoke Arts Commission, for terms ending June 30, 2008, by the following vote:

FOR MR. EASTBURN, MS. JENNINGS AND MS. LOR: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

(Mayor Harris was absent.)

COMMITTEES-GREENWAY SYSTEM: The Vice-Mayor advised that the three-year term of office of Barry W. Baird as a member of the Roanoke Valley Greenways Commission will expire June 30, 2005; whereupon, he opened the floor for nominations to fill the vacancy.

Council Member Cutler placed in nomination the name of Barry W. Baird.

There being no further nominations, Mr. Baird was reappointed as a member of the Roanoke Valley Greenways Commission, for a term ending June 30, 2008, by the following vote:

FOR MR. BAIRD: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

(Mayor Harris was absent.)

COMMITTEES-LIBRARIES: The Vice-Mayor advised that the three-year terms of office of Pamela S. White and Stanley G. Breakell as members of the Roanoke Public Library Board will expire on June 30, 2005; whereupon, he opened the floor for nominations to fill the vacancies.

Council Member Cutler placed in nomination the names of Pamela S. White and Stanley G. Breakell.

There being no further nominations, Ms. White and Mr. Breakell were reappointed as members of the Roanoke Public Library Board, for terms ending June 30, 2008, by the following vote:

FOR MS. WHITE AND MR. BREAKELL: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

(Mayor Harris was absent.)

COMMITTEES-COURT COMMUNITY CORRECTIONS BOARD: The Vice-Mayor advised that the three-year terms of office of Julian H. Raney, Jr., and John B. Ferguson as members of the Court Community Corrections Program Regional Community Criminal Justice Board will expire on June 30, 2005; whereupon, he opened the floor for nominations to fill the vacancy.

Council Member Cutler placed in nomination the names of Julian H. Raney, Jr., and John B. Ferguson.

There being no further nominations, Mr. Raney and Mr. Ferguson were reappointed as members of the Court Community Corrections Program Regional Community Criminal Justice Board, for terms ending June 30, 2008, by the following vote:

FOR MR. RANEY and MR. FERGUSON: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

(Mayor Harris was absent.)

COMMITTEES-PENSIONS: The Vice-Mayor advised that the four-year term of office of George F. Taylor as a member of the Board of Trustees, City of Roanoke Pension Plan will expire on June 30, 2005; whereupon, he opened the floor for nominations to fill the vacancy.

Council Member Cutler placed in nomination the name of George F. Taylor.

There being no further nominations, Mr. Taylor was reappointed as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2009, by the following vote:

FOR MR. TAYLOR: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

(Mayor Harris was absent.)

COMMITTEES-CONVENTION AND VISITORS BUREAU: The Vice-Mayor advised that the one-year term of office of A. Morris Turner, Jr., as a member of the Roanoke Valley Convention and Visitors Bureau will expire on June 30, 2005; and pursuant to an Agreement between the City of Roanoke and the Roanoke Valley Convention and Visitors Bureau, the City is entitled to appoint an additional member; whereupon, he opened the floor for nominations.

Council Member Cutler placed in nomination the name of A. Morris Turner, Jr., and Barton W. Wilner.

There being no further nominations, Mr. Turner was reappointed and Mr. Wilner was appointed as members of the Roanoke Valley Convention and Visitors Bureau, for terms ending June 30, 2006, by the following vote:

FOR MR. TURNER AND MR. WILNER: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

(Mayor Harris was absent.)

COMMITTEES-TOWING ADVISORY BOARD: The Vice-Mayor advised that the three-year terms of office of Christine Proffitt and Robert R. Young as members of the Towing Advisory Board will expire on June 30, 2005; whereupon, he opened the floor for nominations to fill the vacancies.

Council Member Cutler placed in nomination the name of Robert R. Young.

There being no further nominations, Mr. Young was reappointed as a member of the Towing Advisory Board, for a term ending June 30, 2008, by the following vote:

FOR MR. YOUNG: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

(Mayor Harris was absent.)

PARKS AND RECREATION-COMMITTEES: The Vice-Mayor advised that the one-year terms of office of Richard Clark, Betty Field, Steven Higgs, Louise F. Kegley, Carl H. Kopitzke, Michael A. Loveman, E. C. Pace, III, and Eddie Wallace as members of the Mill Mountain Advisory Committee will expire June 30, 2005; whereupon, he opened the floor for nominations to fill the vacancies.

Council Member Cutler placed in nomination the names of Richard Clark, Betty Field, Steven Higgs, Louise F. Kegley, Carl H. Kopitzke, Michael A. Loveman, E. C. Pace, III, and Eddie Wallace.

There being no further nominations, Mr. Clark, Ms. Field, Mr. Higgs, Ms. Kegley, Mr. Kopitzke, Mr. Loveman, Mr. Pace and Mr. Wallace were reappointed as members of the Mill Mountain Advisory Committee, for terms ending June 30, 2008, by the following vote:

FOR MR. CLARK, MS. FIELD, MR. HIGGS, MS. KEGLEY, MR. KOPITZKE, MR. LOVEMAN, MR. PACE AND MR. WALLACE: Council Members Lea, McDaniel, Wishneff, Cutler, Dowe and Vice-Mayor Fitzpatrick-----6.

(Mayor Harris was absent.)

(By consensus, Council changed the terms of office from one year to three year terms.)

There being no further business, the Vice-Mayor declared the meeting adjourned at 8:25 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Beverly T. Fitzpatrick, Jr.
Vice-Mayor

Minutes of July 5, 2005 not available for scanning.